

LEGALS

RESOLUTION
NO. R25-04-014
A RESOLUTION AUTHORIZING CONDITIONAL USE PERMIT #24004-CUP: Banuelos Ranch/Open Arena WHEREAS, the Miami County Planning Commission did hold a public hearing on February 6th, 2025, in accordance with the requirements as set forth in Article 22 of the Miami County, Kansas Zoning Regulations to consider request for Conditional Use Permit for a rodeos, roping games, and training activities facility per Section 6-2.02.33 of the Miami County, Kansas Zoning Regulations, on the real property described in Section 1 below; and WHEREAS, after reviewing all written and oral testimony presented at said hearing, and after reviewing the Golden Criteria, the Planning Commission voted 4-0 with 3 abstentions to recommend denial of the request to the Board of County Commissioners of Conditional Use Permit # 24004-CUP, based on the following Findings: 1. Although outdoor recreational activities are a popular trend in rural areas, this proposed use is too intense for the surrounding area considering the number of attendees and frequency of events and is better suited in a commercial zoning district or inside the city limits. 2. The intensity of this use does not conform with the Goals and Objectives of the Comprehensive Plan to maintain the rural character of the county. 3. The lack of minimum infrastructure in relation to the roads. WHEREAS, on February 26th, 2025, the Board of County Commissioners reviewed the Conditional Use Permit request along with the recommendations of the Planning Commission and Golden Criteria and remanded the request back to the Planning Commission for additional discussion and consideration in order to address desires. expressed by the Planning Commissioners who abstained from voting to receive additional information regarding possible road improvements; and WHEREAS, on April 1, 2025, the Planning Commission heard the remanded request, including additional information related to possible road improvements for 383rd Street, and after considering all past written and oral testimony presented at the Planning Commission's Public Hearing, and reviewing the Golden Criteria, the Planning Commission voted 6 to approve, 3 opposed (Kitchen, Flake & Philgreen) to recommend the Board of County Commissioners approve Conditional Use Permit #24004-CUP, based on the Findings and subject Conditions listed below; and WHEREAS, on April 30, 2025, the Board of County Commissioners reviewed the Conditional Use Permit request along with the recommendations of the Planning Commission including the Golden Criteria and found the Conditional Use Permit was substantially in compliance with the Goals and Objectives of the County's Comprehensive Plan, and as conditioned, will not adversely affect surrounding property neighborhood values. IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI COUNTY, KANSAS, that they hereby concur with the Planning Commission and approve Conditional Use Permit #24004-CUP for the operation of a an rodeos, roping games, and training activities facility per Section 6-2.02.33 of the Miami County Zoning Regulations and on the real property described in Section 1, based on the findings and subject to the conditions listed below.
Section 1: Tract B- Beginning at the Northwest corner of the Northeast Quarter of Section 4, Township 19 South, Range 23 East of the Sixth Principal Meridian; thence North 89°38'09" East 795.84 feet along the North line of said Quarter Section to the true point of beginning; thence South 00°06'39" West 2576.31 feet to a point on the South line of said Quarter Section; thence South 89°55'30" East 582.88 feet along said South line to the Southeast corner of the West Half of said Quarter Section; thence North 01°01'48" West 2580.86 feet to the Northeast corner of the West Half of said Quarter Section; thence South 89°38'09" West 531.51 feet along the North line of said Quarter Section to the true point of beginning, including road right of way as recorded in Miami County, Kansas. Findings: 1. The applicant's proposal is aligned with the character of the AG neighborhood. 2. The zoning and uses of the nearby properties are Agricultural (AG) and Countryside (CS) lending this use to have limited impact to the residences. 3. The property is suitable for its present use and already includes some similar activities to the rodeo. 4. The CUP will improve the experience for the neighbors because there will be some guidelines in place to help protect the public welfare, health, and safety. 5. Criteria 4 and 5 were not applicable to this request. 6. The applicant will be improving the road which will be a benefit to the neighborhood and the County. 7. Recreational activities are beneficial to the people living in Miami County and potentially bring people from outside Miami County. 8. The intent of the Zoning Regulations include that CUPS are allowed, the proposed operation is use allowed as a as a CUP, and the Planning Commission has attempted to tailor this CUP request to match similar CUPS. 9. While the Planning Commission's recommendation is contrary to Staff's recommendation, the Planning Commission hopes it has provided sufficient findings for why a different recommendation has been reached. 10. The request is in conformance with the Comprehensive Plan and it's location near Fontana and paved roads make this location appropriate for this type of activity. Conditions: 1. Except as amended by these conditions, the property shall be developed according to the site plan, attached hereto as Exhibit A. 2. Site plan shall be amended to show the entry gates for spectators; entry gates with no parking signs attached for animal loading/unloading; at least 4 ADA parking spaces with at least one being van accessible; at least 76 regular parking spaces for spectators; parking spaces shall be shown at 90° or directional arrows shown for one-way traffic, parking space delineation and signs posted for such; parking area for trucks/trailers; concession area; announcer booth; screening/screening type around the perimeter of the CUP area. Access to and from the ADA spaces from the portable restrooms and spectator viewing area shall be shown on the site plan. 3. Except as amended by these conditions, the property shall be developed according to the applicant's narrative report, attached hereto as Exhibit B. 4. Events shall be limited to a maximum 5 events per year, one day per month from April through October from 1pm to 9pm. 5. All lighting shall be shielded and face downwards. 6. Development shall comply with all sanitary, building, fire and other applicable county codes and permit requirements 7. A stormwater plan shall be submitted prior to installation of parking areas, drive lanes, and issuance of building permits. Should a plan not be needed, a letter shall be submitted to that effect, signed, and sealed by a licensed engineer. 8. No vehicles shall be allowed to park on W 383 St. 9. Change of ownership or subleasing of the property/facilities shall require review by the planning commission to ensure the use substantially complies with the original conditional use permit. 10. The term of this conditional use permit shall be ten (10) years, commencing from the date of County Commission approval. 11. No alcoholic beverages shall be sold on the premises. 13. The applicant shall be required to upgrade W 383rd Street from the entrance to Hedge Lane to a minimum roadbed width of 22-feet wide based upon a study/plans provided by the applicant's engineer and in consultation with the Miami County Road & Bridge Department. 12. Spectators shall be limited to 150 unless the CUP is reviewed and amended and site plan amended to allow a greater number of spectators, parking spaces, sanitation facilities, etc. The applicant shall be required to upgrade W 383rd Street from the entrance to Hedge Lane to a minimum roadbed width of 22-feet wide based upon a study/plans provided by the applicant's engineer and in consultation with the Miami County Road & Bridge Department. 14. The applicant shall be responsible for annual dust control from the entrance to Hedge Lane. 15. Screening shall be placed at a distance not greater than 25-feet apart. All screening shall be maintained and kept in good health or replaced immediately. Fill-in shrubs or trees shall be offset within the 25' evergreen separation to complete the screening, if necessary. 16. Noise shall not exceed 70dB at the property lines. The provisions in this Resolution will become effective upon the adoption by the Board of County Commissioners and publication of the adopting Resolution in the official County newspaper. Upon this Resolution becoming effective, all prior resolutions affecting the above-described tracts of land are repealed. All Zoning Regulations of Miami County, Kansas affecting the use of the real property heretofore described, that are inconsistent with this Resolution are hereby made inapplicable to said property until the Conditional Use Permit is vacated or is declared null and void. ADOPTED ON THIS 30th DAY OF APRIL 2025 by the BOARD OF COUNTY COMMISSIONERS MIAMI COUNTY, KANSAS

Publish: Miami County Republic
Date: May 7, 2025
3447310



CALL MIAMI COUNTY REPUBLIC at 913-294-2311

PUBLIC NOTICE

Millsap & Singer, LLC 8900 Indian Creek Parkway, Suite 180 Overland Park, KS 66210 (913) 339-9132 (913) 339-9045 (fax)

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS CIVIL DEPARTMENT

U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for RCF2 Acquisition Trust Plaintiff, vs. Anjonette D Wallace, Robert M Crecelius aka Robert Michael Crecelius, Jane Doe, John Doe, and Kansas Department of Revenue, et al., Defendants Case No. MI-2025-CV-000052 Court No. Title to Real Estate Involved Pursuant to K.S.A. §60

NOTICE OF SUIT

STATE OF KANSAS to the above named Defendants and The Unknown Heirs, executors, devisees, trustees, creditors, and assigns of any deceased defendants; the unknown spouses of any defendants; the unknown officers, successors, trustees, creditors and assigns of any defendants that are existing, dissolved or dormant corporations; the unknown executors, administrators, devisees, trustees, creditors, successors and assigns of any defendants that are or were partners or in partnership; and the unknown guardians, conservators and trustees of any defendants that are minors or are under any legal disability and all other person who are or may be concerned: You are hereby notified that a Petition has been filed in the District Court of Miami County, Kansas by U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for RCF2 Acquisition Trust, praying to foreclose a mortgage on the following described real estate: ALL OF THE SOUTH 660 FEET OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 16, RANGE 22, MIAMI COUNTY, KANSAS, EXCEPT THE WEST 2.376 FEET THEREOF. ROAD UTILITY EASEMENT: THE NORTH 60 FEET OF THE SOUTH 690 FEET OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 16 RANGE 22, MIAMI COUNTY, KANSAS. Parcel ID No. 077-25-0-00-00-017.00-0. Commonly known as 29533 W 274th Street, Paola, KS 66071 ("the Property") MS 217491 and all those defendants who have not otherwise been served are required to plead to the Petition on or before June 10, 2025 in the District Court of Miami County, Kansas. If you fail to plead, judgment

NOTICE OF PUBLIC HEARING CITY OF LOUISBURG

The Louisburg Planning Commission will hold a public hearing at 6:00 P.M. on May 28, 2025, in the Council Chambers, 215 South Broadway, Louisburg, Kansas to consider a Variance application to allow for a deviation to the maximum structure height located within an "R-1" Single-Family Dwelling District as provided for by the City of Louisburg Zoning Regulations, pursuant to Article 5, Section 502, for property generally located south of East Amity Street and east of South Countryside Drive. Case No. 25001-VAR Deviation of the maximum structure height for sports field lighting Unified School District 416 Proposed Variance.: To allow sports field lighting system to exceed maximum height of thirty-five (35) feet for system that will illuminate proposed baseball / softball fields. Legal Description PARCEL DESCRIPTION: S32, T16, R25, ACRES 51.09, TR BEG 35S NE/C NW4 TH S2435.5 (S) W340 S180 W410 N665.9 E202.5 N388.3 NWLY480 W316.2 N60 E379 N115 W379 N362.8 W280 TITLE DESCRIPTION: Tract I: Beginning at the Northwest corner of the East half of the Northwest Quarter of Section 32, Township 16, Range 25, Miami County, Kansas, thence South to a point 362.80 feet North of the Northwest corner of Lot 7, Block 1, Country Side Meadows Addition to the City of Louisburg, thence East 280 feet, thence South 362.80 feet, thence East 379 feet, thence South 115 feet, thence East to the East line of the Northwest Quarter of said Section 32, thence North to the Northeast corner of said Northwest Quarter, thence West to the point of beginning, subject to that part in roads or streets. Tract II: Beginning at a point 580 feet East of the Southwest corner of the East half of the Northwest Quarter of Section 32, Township 16 South, Range 25 East, said point being on the south line of the Northwest Quarter of said Section 32; thence North 665.97 feet, thence East 202.59 feet, thence North 388.34 feet to the Southeast corner of Lot 11, Block 1, Country Side Meadows Addition, City of Louisburg, thence North 22 degrees 21 minutes West 480 feet to the Northeast corner of Lot 9, Block 1, Country Side Meadows Addition, City of Louisburg, thence West along the North in of said Lot 9, Block 1, a distance of 316.2 feet to the Northwest corner of said Lot 9, Block 1, thence North along the West line of Lot 8, Block 1, Country Side Meadows Addition, City of Louisburg, a distance of 60 feet, thence East a distance of 1044.06 feet to the East line of the Northwest Quarter of said Section 31, thence South along the East line of said Section 32, a distance of 1567.5 feet to the center of said Section 32, thence West along the South line of the Northwest Quarter of said Section 32, a distance of 750 feet to the place of beginning, all being a part of the East half of the Northwest Quarter of Section 32, Township 16 South, Range 25 East, City of Louisburg, Miami County, Kansas, except that part in streets or roads. Except the following: A tract of land in the Northwest Quarter of Section 32, Township 16 South, Range 25 East of the Sixth Principal Meridian, being more particularly described as follows: Beginning at the center of Section 32, Township 16 South, Range 25 East, the TRUE POINT OF BEGINNING; thence West for a distance of 340.00 feet along the South line of the Northwest Quarter of Section 32; thence North for a distance of 180.00 feet parallel with the East line of said Quarter Section; thence East a distance of 340.00 feet parallel with the South line of said Quarter Section to the East line of the Northwest Quarter of Section 32; thence South along the East line of said Quarter Section to the TRUE POINT OF BEGINNING all being a part of the East half of the Northwest Quarter of Section 32, Township 16 South, Range 25 East, City of Louisburg, Miami County. Anyone wishing to address this application may attend the public hearing or submit written comments to the Board of Zoning Appeals. Information regarding this application may be obtained before the hearing by contacting the Louisburg Planning & Development Department, 215 South Broadway, Louisburg, Kansas 66053. If you require accommodations (qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please contact Katherine Louderbaugh at (913) 837-5811 at least 48 hours in advance. Publish: Miami County Republic Date: May 7, 2025 3450890

PUBLIC NOTICE

and decree will be entered in due course upon the request of plaintiff. MILLSAP & SINGER, LLC By: Dwayne A. Duncan, #27533 dduncan@msfirm.com 612 Spirit Dr. St. Louis, MO 63005 (636) 537-0110 (636) 537-0067 (fax) ATTORNEYS FOR PLAINTIFF MILLSAP & SINGER, LLC IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Publish: Miami County Republic Date: April 30, May 7 and 14, 2025 3406400

(First Published in The Miami County Republic, May 7, 2025) IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS In the Matter of the Estate of FRED T. LATTO, deceased. NOTICE OF HEARING Case No. MI 2025 PR 000028 THE STATE OF KANSAS TO ALL PERSONS CONCERNED: You are notified that a Petition has been filed in this Court by Shari D. Latto, the surviving spouse and one of the heirs of Fred T. Latto, deceased, requesting: Descent be determined of all real and personal property owned by the decedent at the time of death. And that such real and personal property owned by the decedent at the time of death be assigned pursuant to the laws of intestate succession. You are required to file your written defenses to the Petition on or before June 9, 2025, at 1:30 o'clock p.m. in the city of Paola, in Miami County, Kansas, at which time and place the cause will be heard. Should you fail to file your written defenses, judgment and decree will be entered in due course upon said Petition. DOMONEY & DOMONEY 18 E. WEA; P.O. Box 411 Paola, KS 66071 (913) 294-2800 Attorneys for Petitioner. (3t) Shari D. Latto Petitioner. Publish: Miami County Republic Date: May 7, 14 and 21, 2025 3429850

The following items are scheduled to be considered by the Miami County Planning Commission on June 3, 2025, at 7:00 p.m., in the Miami County Administration Building Commission Chambers, 201 S. Pearl Street, Paola, Kansas. Anyone wishing to address these proposals may attend the meeting or submit written comments to the Planning Commission in advance of the meeting. Complete legal descriptions and other information are available for public in-

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spection and may be obtained prior to the meeting by contacting the Miami County Planning & Development Office, 201 S. Pearl Street/Suite 201, Paola, KS 66071-1777, (913) 294-9553 or emailing planning@miamicountyks.org. **Public Hearing – 25002-CUP: Tidd Contractor Shop/Yard** Consideration of a request for Conditional Use Permit for a contractor's shop and yard, including outside storage of construction equipment and materials, and equipment repair per Section 6-2.02.4 of the Miami County, Kansas Zoning Regulations. The subject property is located at 21455 W.

NOTICE OF PUBLIC HEARING CITY OF LOUISBURG

The Louisburg Planning Commission will hold a public hearing at 6:30 P.M. on May 28, 2025, in the Council Chambers, 215 South Broadway, Louisburg, Kansas to consider a Rezoning application to rezone from "A-L" Agricultural District to "C-3" General Business District to allow for a new drive-through restaurant, as provided for by the City of Louisburg Zoning Regulations, pursuant to Article 5, Section 509, for property generally located south of West Amity Street and east of South Crestview Drive. Case No. 25001-REZ Rezoning from "A-L" Agricultural to "C-3" General Business District The subject property is legally known as: BOUNDARY DESCRIPTION A tract of land located in the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section 31, Township 16 South, Range 25 East of the 6th Principal Meridian as described by Rodney R. Zinn, PS 1559 on April 15, 2025 as follows: Commencing at the Northwest Corner of said Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of said Section 31; thence N 88°04'08" E, along the North line of said Quarter Section, 856.65 feet; thence S 02°10'30" E, 131.63 feet to a point on the Southern Right-of-Way of Kansas 68 Highway and being the Point of Beginning; thence Continuing S 02°10'30" E, along the Eastern Right-of-Way line of Crestview Drive, 245.96 feet; thence N 87°49'56" E, 141.54 Feet; thence N 02°10'30" W, being parallel to said Eastern Right-of-Way, 303.73 feet to a point on the Southern Right-of-Way of Kansas 68 Highway; thence S 86°47'13" W, along said Southern Right-of-Way, 45.67 feet; thence S 83°43'40" W, continuing along said Southern Right-of-Way, 96.17 feet to the Point of Beginning. Contains 0.815 acres, more or less. ADDITIONAL ROAD RIGHT OF WAY A tract of land located in the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section 31, Township 16 South, Range 25 East of the 6th Principal Meridian as described by Rodney R. Zinn, PS 1559 on April 15, 2025 as follows: Commencing at the Northwest Corner of said Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of said Section 31; thence N 88°04'08" E, along the North line of said Quarter Section, 856.65 feet; thence S 02°10'30" E, 131.63 feet to a point on the Southern Right-of-Way of Kansas 68 Highway; thence Continuing S 02°10'30" E, along the Eastern Right-of-Way line of Crestview Drive, 245.96 feet to the Point of Beginning; thence continuing S 02°10'30" E, 50.00 Feet; thence N 87°49'56" E, 141.58 feet; thence N 02°10'30" W, 50.00 feet; thence S 87°49'56" W, 141.54 feet to the Pont of Beginning. Contains 0.163 Acres, more or less. As provided in Article 11 of the City of Louisburg Procedures Manual and 2010 Zoning Regulations, the above proposed Rezoning will be discussed and considered by the Louisburg Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes; and any protest against any of the provisions of the proposed Rezoning will be considered by the Commission. Property owners within 200 feet of such property described above, wanting to protest the proposed Rezoning will have fourteen days after the Planning Commission makes its recommendation to the City Council to submit a protest petition to the office of the City of Louisburg City Clerk. If a valid protest petition is filed with the City Clerk prior to the deadline, the Rezoning shall only be approved by at least a ¾ majority vote of the City Council. If you require accommodations (qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please contact Katherine Louderbaugh at (913) 837-5811 at least 48 hours in advance. Publish: Miami County Republic Date: May 7, 2025 3450910

NOTICE OF PUBLIC HEARING CITY OF LOUISBURG

The Louisburg Planning Commission will hold a public hearing at 6:30 P.M. on May 28, 2025, in the Council Chambers, 215 South Broadway, Louisburg, Kansas to consider a Special Use Permit application to allow for a mini-warehouse facility located within the "C-3" General Business District as provided for by the City of Louisburg Zoning Regulations, pursuant to Article 5, Section 509, for property generally located south of South 11th Street and west of South Metcalf Road. Case No. 25003-SUP Special Use Permit for Mini-Warehouse Facility The subject property is legally known as: Beginning at the Northeast corner of the Southeast Quarter of Section 31, Township 16 South, Range 25 East of the Sixth Principal Meridian; thence South 00 degrees 39 minutes 44 seconds East for a distance of 819.84 feet along the East line of said Quarter Section; thence South 89 degrees 18 minutes 34 seconds West for a distance of 34.00 feet to a point on the West line on Metcalf Road (Old Highway 69), said point being the true point of beginning; thence North 00 degrees 49 minutes 52 seconds West for a distance of 131.00 feet along said West right-of-way line; thence South 89 degrees 18 minutes 34 seconds West for a distance of 259.91 feet to a point on the East line of Olive Street; thence South 00 degrees 48 minutes 51 seconds East for a distance of 131.00 feet along the East line of Olive Street; thence North 89 degrees 18 minutes 34 seconds East for a distance of 259.94 feet to the true point of beginning; in Miami County, Kansas. As provided in Article 11 of the City of Louisburg Procedures Manual and 2010 Zoning Regulations, the above proposed Special Use Permit will be discussed and considered by the Louisburg Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes; and any protest against any of the provisions of the proposed Special Use Permit will be considered by the Commission. Property owners within 200 feet of such property described above, wanting to protest the proposed Special Use Permit will have fourteen days after the Planning Commission makes its recommendation to the City Council to submit a protest petition to the office of the City of Louisburg City Clerk. If a valid protest petition is filed with the City Clerk prior to the deadline, the Special Use Permit shall only be approved by at least a ¾ majority vote of the City Council. If you require accommodations (qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please contact Katherine Louderbaugh at (913) 837-5811 at least 48 hours in advance. Publish: Miami County Republic Date: May 7, 2025 3450840

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Lakemary Center, Inc. (LMC) will cease operating and capital assistance for transportation under U.S.C. 5311 (rural public transportation) of the Federal Transit Act on June 30, 2025. General public transportation services in Miami County operated by LMC will end on that date. Written comments and questions regarding this program are encouraged and will be accepted until June 11, 2025, and should be sent to Teddi Hernandez, CEO at Lakemary Center, Inc. 100 Lakemary Drive, Paola, KS 66071. LMC will continue to provide services under U.S.C. 5310. Other public transportation options can be found at <https://ksrides.org/i-need-a-ride/>.