

NO.	DATE	DESCRIPTION	BY
1	10/1/23	complete	CTA
2	1/25/24	city comments	CTA

FINAL PLAT OF HEATHER RIDGE SOUTH, 5TH PLAT

Part of the NE 1/4, SEC. 24, T14S, R23E

This is a survey and plat of part of the NE 1/4 of Section 24, T14S, R23E of the Sixth Principal Meridian, in the City of Olathe, Johnson County, Kansas, prepared by Gerald L. Conn, P.S. No. 1128, September 22, 2023, more particularly described as follows:

Beginning at the Northwest corner of the NE 1/4 of Section 24, T14S, R23E of the Sixth Principal Meridian, in the City of Olathe, Johnson County, Kansas, thence S 02°07'00" E, along the West line of said NE 1/4, a distance of 1,632.28 feet to the Southwest corner of Tract M, HEATHER RIDGE SOUTH, 4TH PLAT, a subdivision in the City of Olathe, Johnson County, Kansas, said point also being the TRUE POINT OF BEGINNING, thence N 87°52'00" E, along the South line of said Tract M and Lots 143 through 141, HEATHER RIDGE SOUTH, 4TH PLAT, a distance of 281.82 feet to a corner on the Southerly line of said Lot 141; thence S 74°00'00" E, along the Southerly line of said Lot 141 and Lots 140 and 139, HEATHER RIDGE SOUTH, 4TH PLAT, a distance of 199.80 feet to the Southeast corner of said Lot 139, said corner also being on the Westerly right-of-way line of Warwick Street, as platted; thence Southerly along the Westerly right-of-way line of said Warwick Street on a curve to the left, having an initial tangent bearing of S 04°58'41" W and a radius of 430.00 feet for a distance of 53.25 feet; thence S 02°07'00" E, continuing along the Westerly right-of-way line of said Warwick Street, a distance of 157.75 feet to the Southwest corner of the right-of-way line of said Warwick Street; thence N 87°53'00" E, along the Southerly right-of-way line of said Warwick Street and Tract L, HEATHER RIDGE SOUTH, 4TH PLAT, a distance of 75.00 feet to the Southwest corner of said Tract L, said corner also being the Southwest corner of Lot 137, HEATHER RIDGE SOUTH, 4TH PLAT, said corner also being on the Westerly right-of-way line of Mahaffie Street, as platted; thence Southerly, along the Westerly right-of-way line of said Mahaffie Street on a curve to the left, having an initial tangent bearing of S 02°04'00" W and a radius of 525.00 feet, for a distance of 4.34 feet to the Southwest corner of the right-of-way of said Mahaffie Street; thence S 84°58'11" E, along the Southerly right-of-way line of said Mahaffie Street and Lot 136, HEATHER RIDGE SOUTH, 4TH PLAT, a distance of 188.03 feet to the Southeast corner of said Lot 136; thence S 03°01'00" W, a distance of 56.49 feet; thence S 08°40'00" E, a distance of 120.66 feet; thence S 37°40'00" E, a distance of 56.69 feet; thence S 00°45'44" E, a distance of 74.63 feet; thence S 08°27'45" W, a distance of 39.66 feet; thence S 70°49'11" W, a distance of 126.57 feet; thence Northerly on a curve to the left, having an initial tangent bearing of N 19°10'49" W and a radius of 175.00 feet, for a distance of 15.14 feet; thence S 65°30'01" W, a distance of 71.73 feet; thence S 02°30'00" E, a distance of 119.73 feet; thence Easterly on a curve to the right, having an initial tangent bearing of S 89°04'21" E and a radius of 328.00 feet, for a distance of 28.30 feet; thence S 84°05'00" E, a distance of 34.17 feet; thence S 02°00'00" E, a distance of 207.61 feet to a point on the South line of said NE 1/4, thence S 88°01'16" E, along the South line of said NE 1/4, a distance of 673.51 feet to the Southwest corner of said NE 1/4, thence N 02°07'30" W, along the West line of said NE 1/4, a distance of 1,009.27 feet to the TRUE POINT OF BEGINNING, containing 14,847.44 acres more or less.

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "HEATHER RIDGE SOUTH, 5TH PLAT".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated.

The undersigned proprietor of said property shown on this plat does hereby certify that all prior existing easement rights on land to be dedicated for public use running to any person, utility, or corporation have been absorbed except that some person, utility or corporation shall retain whatever rights they would have as if located in a public street.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electric, sewer pipes, poles, wires, drainage facilities, and similar utility facilities, and sidewalks upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the City of Olathe, Kansas, and other governmental entities as may be authorized by state law for use pursuant to said easement for said purposes.

An easement or license is hereby dedicated to the City of Olathe to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, sewer pipes, surface drainage facilities, etc., upon, over, and across those areas outlined and designated on this plat as "Drainage Easement" or "D/E".

An easement or license to lay, construct, maintain, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress over and through those areas designated as "Sanitary Sewer Easement" or "SSE" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the Consolidated High Sewer District of Johnson County, Kansas, or their assigns. Attention of land contours will be permitted only with the express written approval of JCSE. Any planting of improvements or planting of trees on said permanent right-of-way will be done at the risk of subsequent damage thereto without compensation thereof.

An easement or license is hereby granted to the Water District No. 1 of Johnson County to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of water lines, fire hydrants, valves, etc., upon, over, and across those areas outlined and designated on this plat as "Water Line Easement" or "W/L".

An easement or license is hereby granted to the City of Olathe, Kansas, to enter upon, locate, construct and maintain or authorize the entry upon, location, construction or maintenance and use of a future public bicycle and pedestrian path for public recreation and transportation purposes upon, over and under the areas outlined on Tracts P and Q and designated as "Public Recreation Easement" or "PRE". The bicycle and pedestrian path is to be owned and maintained by the City of Olathe, Kansas, or its designees.

NOTE: The site includes Stormwater Treatment Facilities, as defined and regulated in the Olathe Municipal Code, Section 17.16.080.C. Restrictions on the use or alteration of the said facilities may apply. This property is also subject to the obligations and requirements of the Stormwater Treatment Facility Maintenance Agreement approved by the City.

An easement is hereby granted and reserved by the undersigned proprietor of the above described land unto itself and the Heather Ridge South/Estates Home Association to enter upon, plant, replace, repair, maintain, remove, and otherwise manage, repair, and otherwise maintain, and to authorize any such maintenance, of any and all grass, trees, shrubs, plants and other landscaping and all fences and monuments installed by the undersigned proprietor and by the Heather Ridge South/Estates Home Association upon, over, or under those areas outlined and designated on this plat as "Landscape Easement" or "L/E".

Tracts N, O, P, Q, R and S shall be owned and maintained by the Heather Ridge South/Estates Home Association. The tracts are intended to be used for landscaping, monuments, fencing, private open space, and/or Home Association Amenities.

The lots in this subdivision shall not be subdivided except pursuant to Chapter 18.40.180, Lot Splits, of Unified Development Ordinance or by replat.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Registrar of Deeds of Johnson County, Kansas, said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein.

The undersigned proprietor of the above described tract of land hereby consents and agrees that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares or parts thereof, for public use, from the lien and effect of any special assessments and that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of this land fronting or abutting on said dedicated public way or thoroughfare.

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this _____ day of _____, 2024.

MARTENS FAMILY ENTERPRISES, INC.

PHILIP W. MARTENS, President

STATE OF _____ (KANSAS)
COUNTY OF _____ (JOHNSON) SS

BE IT REMEMBERED, that on this _____ day of _____, 2024, before me a Notary Public in and for said County and State, came PHILIP W. MARTENS, President of MARTENS FAMILY ENTERPRISES, INC., who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and she duly acknowledged the execution of the same to be the act and deed of said Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

My Appointment Expires: _____

Notary Public

By: WAYNE JANIER, Chairman

APPROVED by the Planning Commission of the City of Olathe, Kansas, on this _____ day of _____, 2024.

By: JOHN W. BACON, Mayor ATTEST: BRENDA D. SWEARZINZ, City Clerk

I hereby certify that on August 30, 2022 and August 24, 2023, I or someone under my direct supervision conducted a final survey of the above described tract of land and this is an accurate and true plat of said survey, on this _____ day of _____, 2024.

Gerald L. Conn
Kansas P.S. No. 1128

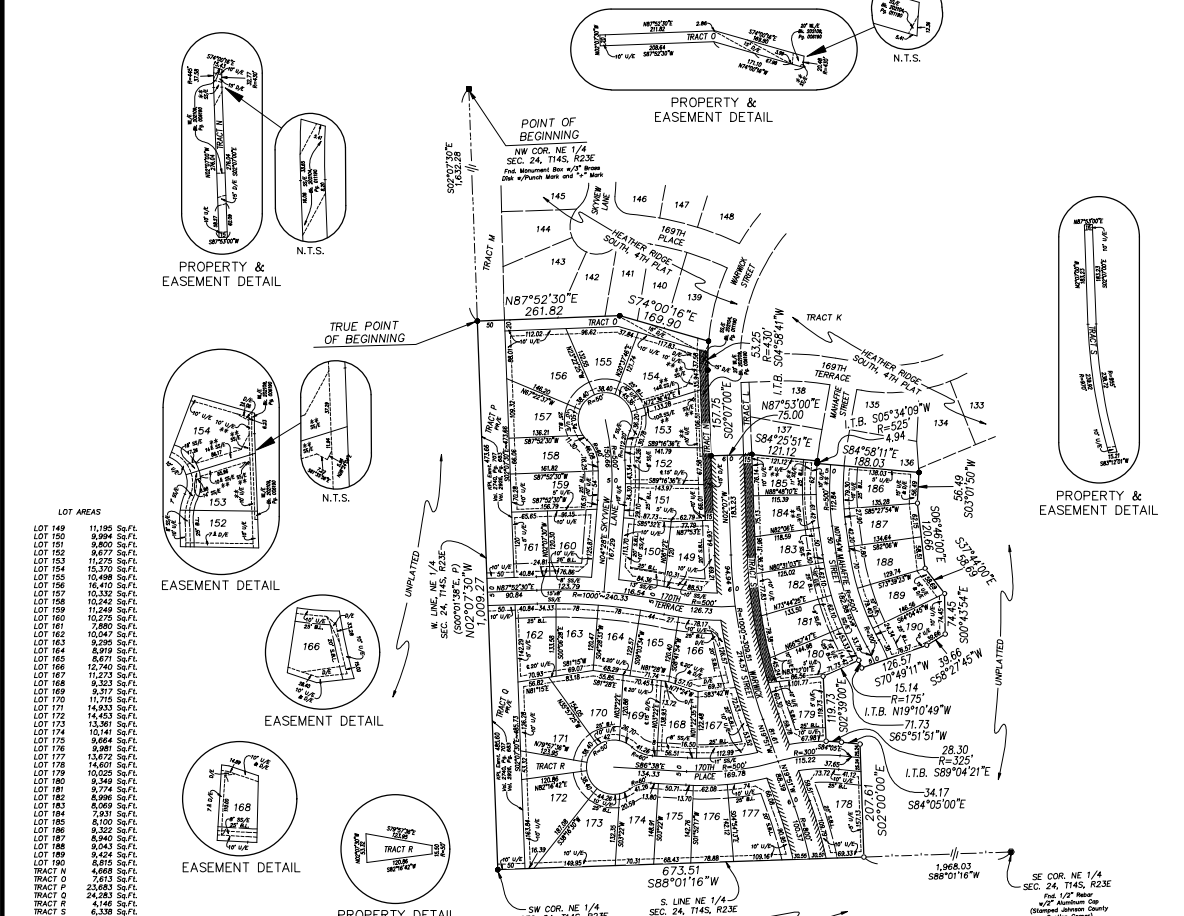
Prepared by: Payne & Brockway Engineers, P.A.
P. O. Box 128
Olathe, Kansas 66051
913-782-4800

Developed by: Martens Family Enterprises, Inc.
c/o Philip W. Martens
19000 W. 158th Street, Suite C
Olathe, Kansas 66062
913-782-2276

Date Prepared: October 11, 2023

TITLE INFORMATION FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. 739914
DATED NOVEMBER 16, 2015

HEATHER RIDGE SOUTH
5TH PLAT
SEC. 24, T14S, R23E
JOHNSON COUNTY, KANSAS



LOT	AREA
LOT 149	11,195 Sq.Ft.
LOT 150	9,994 Sq.Ft.
LOT 151	9,800 Sq.Ft.
LOT 152	8,677 Sq.Ft.
LOT 153	11,275 Sq.Ft.
LOT 154	15,570 Sq.Ft.
LOT 155	10,498 Sq.Ft.
LOT 156	10,410 Sq.Ft.
LOT 157	10,332 Sq.Ft.
LOT 158	10,245 Sq.Ft.
LOT 159	11,249 Sq.Ft.
LOT 160	10,575 Sq.Ft.
LOT 161	7,880 Sq.Ft.
LOT 162	10,041 Sq.Ft.
LOT 163	9,295 Sq.Ft.
LOT 164	8,915 Sq.Ft.
LOT 165	8,671 Sq.Ft.
LOT 166	12,740 Sq.Ft.
LOT 167	11,273 Sq.Ft.
LOT 168	9,323 Sq.Ft.
LOT 169	9,317 Sq.Ft.
LOT 170	11,715 Sq.Ft.
LOT 171	14,823 Sq.Ft.
LOT 172	14,453 Sq.Ft.
LOT 173	13,391 Sq.Ft.
LOT 174	14,651 Sq.Ft.
LOT 175	9,664 Sq.Ft.
LOT 176	10,025 Sq.Ft.
LOT 177	10,025 Sq.Ft.
LOT 178	9,344 Sq.Ft.
LOT 179	9,344 Sq.Ft.
LOT 180	9,344 Sq.Ft.
LOT 181	8,996 Sq.Ft.
LOT 182	8,996 Sq.Ft.
LOT 183	8,996 Sq.Ft.
LOT 184	2,931 Sq.Ft.
LOT 185	8,040 Sq.Ft.
LOT 186	9,322 Sq.Ft.
LOT 187	9,322 Sq.Ft.
LOT 188	9,343 Sq.Ft.
LOT 189	9,424 Sq.Ft.
LOT 190	8,876 Sq.Ft.
TRACT A	4,658 Sq.Ft.
TRACT B	2,813 Sq.Ft.
TRACT C	23,688 Sq.Ft.
TRACT D	24,283 Sq.Ft.
TRACT E	4,446 Sq.Ft.
TRACT F	6,338 Sq.Ft.
TRACT G	
TRACT H	
TRACT I	
TRACT J	
TRACT K	
TRACT L	
TRACT M	
TRACT N	
TRACT O	
TRACT P	
TRACT Q	
TRACT R	
TRACT S	
TOTAL	514,822 Sq.Ft.

RESIDENTIAL STREET RIGHTS-OF-WAY: 164,250.07 Sq.Ft.
COLLECTOR STREET RIGHTS-OF-WAY: 45,786.41 Sq.Ft.

265,889.59 Sq.Ft. OF THE PLAT IS SUBJECT TO STREET AND TRAFFIC SIGNAL EXCISE TAXES.

The standards for these lots are Site Category 1 and Composite Building Design Category A. However, no lot shall have a Side Yard Setback less than 5'. In the event the Front Yard Setback from the right-of-way meets 30', the lot area or exceeds 2,200 sq.ft., Rear Yard Setback meets 25' and the Side Yard Setback meets 20% of the width of the lot at the building line, then the Composite Building Design Category A won't be required. However, for those conditions, no lot shall have a Side Yard Setback less than 7'.

The basis for bearings on this plat is Grid North, Kansas North Zone, Derived from Johnson County Survey Control Network 1998. Lots 149, 166, 167, 177, 178, 179 Tracts N and S shall have No Direct Vehicular Access to Warwick Street.

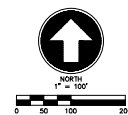
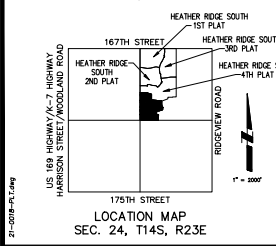
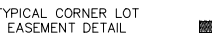
A portion of this site lies within the 167th Street West Benefit District. The site area within the 167th Street West Benefit District is 390,868.20 Sq.Ft. This area is not subject to street or traffic signal excise taxes.

Based on fieldwork and final engineering design, the exact location of easements are subject to change prior to the plat recording.

According to F.U.R.M. Map No. 200910109G Johnson County, Kansas, dated August 3, 2009 this entire site is determined to be outside the 100-year floodplain.

3,667.79 (lot boundary distance) / 0.0067 (closing distance) = unadjusted error of closure 1 in 547,431.34

ALL AREAS DESIGNATED ON THE PLAT AS DRAINAGE EASEMENT SHALL CONTAIN FRIEZE OF FENCIBLE SWALES, AND OTHER OBSTACLES THAT WOULD RESTRICT THE FLOW OF DRAINAGE



- DENOTES EXISTING MONUMENT ROW PLUMBED BRASS CAP
- DENOTES FOUND 2" ALUMINUM CAP (AS NOTED)
- DENOTES 1/2" REBAR SET W/PAB PLASTIC CAP CLS-49
- DENOTES 1/2" REBAR FOUND W/PAB PLASTIC CAP CLS-49 (UNLESS NOTED)
- BL — DENOTES BUILDING LINE
- SBL — DENOTES SUBDIVISION LINE
- U/E — DENOTES UTILITY EASEMENT
- D/E — DENOTES DRAINAGE EASEMENT
- W/L — DENOTES WATERLINE EASEMENT
- P/E — DENOTES PUBLIC RECREATION EASEMENT
- L/E — DENOTES LANDSCAPE EASEMENT
- — — — — DENOTES LIMITS OF NO ACCESS