

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	8/21/24	completed	CM
2	9/16/24	city comments	CM

# FINAL PLAT OF CRÈME DE LA CRÈME Replat of Part of Lot 6, SUNNYBROOK

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

By: WAYNE JANNER, Chairman

APPROVED by the Governing Body of the City of Olathe, Kansas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

By: JOHN W. BACON, Mayor ATEST: BRENDA D. SHEARINGER, City Clerk

I hereby certify that on 9/17/24, 2024, I or someone under my direct supervision completed a field survey of the above described tract of land and this is an accurate and true plot of said survey, on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

This is a resurvey and replat of part of Lot 6, SUNNYBROOK, a subdivision in the City of Olathe, Johnson County, Kansas, prepared by Gerald L. Conn, P.S. No. 1128, August 14, 2024, more particularly described as follows:

Beginning at the North corner of Tract C, COVINGTON COURT, SECOND PLAT, a subdivision in the City of Olathe, Johnson County, Kansas, said corner also being on the Southwesterly right-of-way line of Noble Drive, as plotted (Valley Road); thence S 42°14'41" W along the Northwesterly line of said Tract C, a distance of 613.62 feet to the Northeast corner of COVINGTON CREEK, SECOND PLAT, a subdivision in the City of Olathe, Johnson County, Kansas; thence S 74°52'57" W along the Northerly right-of-way line of Sunnybrook Boulevard, as plotted, COVINGTON CREEK, SECOND PLAT, a distance of 60.00 feet to the Northeast corner of Tract E, COVINGTON CREEK, SECOND PLAT; thence Northwesterly, on a curve to the left, having an initial tangent bearing of N 17°02'58" W and a radius of 770.00 feet, for a distance of 186.50 feet; thence N 27°30'20" W a distance of 312.37 feet; thence Northwesterly, on a curve to the right, having a radius of 1,320.00 feet, for a distance of 131.67 feet; thence N 27°35'23" W a distance of 60.00 feet to the Southwest corner of Lot 36, SUNNYBROOK BUSINESS PARK, 1ST PLAT, a subdivision in the City of Olathe, Johnson County, Kansas, said corner also being the Northwest corner of right-of-way of 113th Street, as plotted (Valley Road), SUNNYBROOK, 2ND PLAT, a subdivision in the City of Olathe, Johnson County, Kansas; thence S 02°14'28" W along the Westerly right-of-way line of said 113th Street a distance of 60.00 feet to the Southwest corner of said SUNNYBROOK, 2ND PLAT; thence Easterly and Southeastly along the Southerly right-of-way line of said 113th Street and said 113th Street and said Southwesterly right-of-way line of said Noble Drive, continuing on a curve to the right, having an initial tangent bearing of S 87°45'34" E and a radius of 270.00 feet, for a distance of 241.08 feet; thence S 36°36'00" E continuing along the Southwesterly right-of-way line of said Noble Drive, a distance of 46.59 feet to the Point of Beginning, containing 6.12613 acres, more or less.

The undersigned proprietors of the above-described tract of land have caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "CRÈME DE LA CRÈME".

The undersigned proprietors of said property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, avenues, and alleys not heretofore dedicated.

Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietors hereby assent and agree to indemnify the City of Olathe, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction of maintenance and use of sidewalks, conduits, water lines, storm pipes, sewer pipes and related facilities and structures, upon, over and under these areas outlined and designated on this plat as "PUB/E" or "Public Utility Easement", is hereby granted to the City of Olathe, Kansas and other governmental entities as may be authorized by state law to use such 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 is hereby dedicated to the City of Olathe to lay, construct, operate, inspect, alter, repair, replace, substitute, relocate, add to, remove and maintain a culvert storm sewer drainage ditch, drainage channel/water course or other drainage facility tributary connections and appurtenant works in said easement including the right to clean, repair, replace and care for said drainage facilities in, on, over, under and through those areas designated as "Water Quality & Quantity Drainage Easement" or "WQDQ/E" and Tract A, together with the right of ingress and egress over and through said easement.

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, manholes, etc., upon, over, and across those areas outlined and designated on this plat as "Sanitary Sewer Easement" or "SS/E".

NOTICE: 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.

Tract A shall be owned by Leonard B. and Eulalia A. Mokizne Family, LLC or their heirs, assigns, etc., and maintained by a Business Association Agreement. The tract is intended to be used for landscaping, fencing, stormwater drainage, stormwater detention, stormwater treatment.

The lots in this subdivision shall not be subdivided except pursuant to Chapter 18.40.180 Spplits, 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 Register 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 proprietors of the above described tract of land hereby consent and agree 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 use and thoroughfares or parts thereof, for public use and Tract A 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 proprietors have caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

LEONARD B. AND EULALIA E. MOKIZNE FAMILY LIMITED PARTNERSHIP AND SUNNYBROOK MANAGEMENT COMPANY, LLC

By: LEONARD B. AND EULALIA E. MOKIZNE FAMILY, LLC, MANAGER  
(Owner of Tract A, 113th Street Right-of-Way and Sunnybrook Boulevard Right-of-Way)

STATE OF KANSAS SS  
COUNTY OF JOHNSON

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me a Notary Public in and for said County and State, came MARK W. MOKIZNE, Manager of LEONARD B. AND EULALIA E. MOKIZNE FAMILY, LLC, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and he 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.  
Notary Public \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

INSITE REAL ESTATE INVESTMENT PROPERTIES, LLC  
(Owner of Lot 1)

STATE OF ILLINOIS SS  
COUNTY OF DUPAGE

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me a Notary Public in and for said County and State, came LARISSA A. ADDISON, Chief Legal Officer of INSITE REAL ESTATE INVESTMENT PROPERTIES, LLC, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and he 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.  
Notary Public \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

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

Prepared For: Mokizne Asset Management Company LLC  
c/o Mark Mokizne, Manager  
12248 W. 128th Street  
Overland Park, Kansas 66213  
913-888-1000

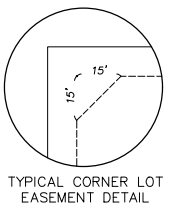
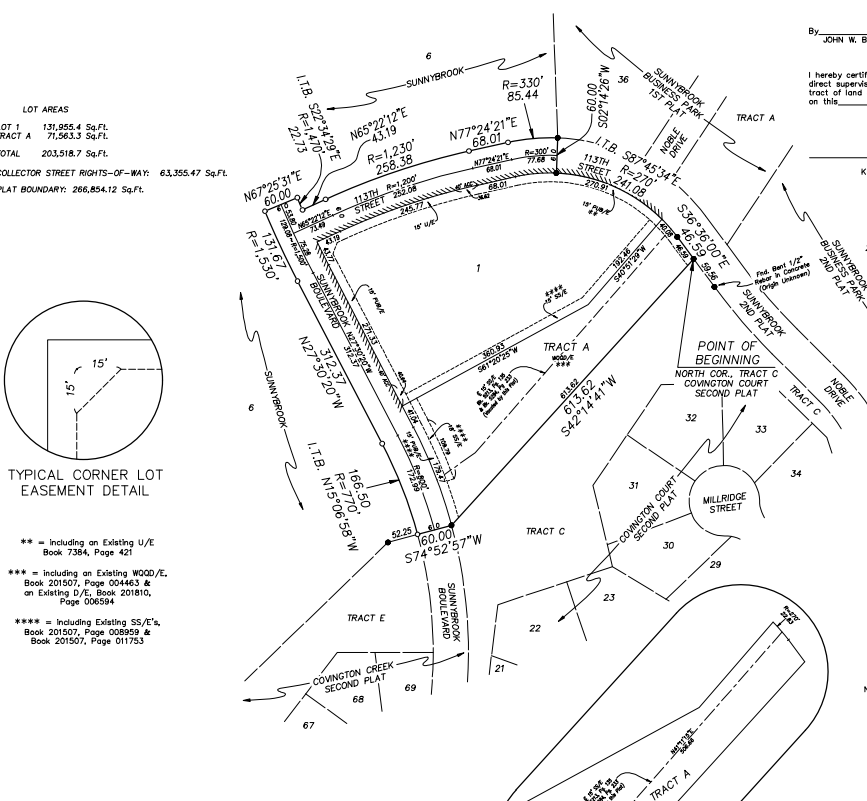
Developed By: Insite Real Estate Investment Properties LLC  
c/o Andrew Johnson, P.E., P.F.M.  
1400 Sixteenth Street, Suite #300  
Oak Brook, Illinois 60523  
847-287-9292

Date Prepared: August 21, 2024

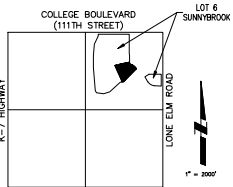
TITLE INFORMATION FURNISHED BY  
FIRST AMERICAN TITLE INSURANCE COMPANY  
COMMITMENT NO. NCS-1209033-MAD  
DATED MARCH 26, 2024

**CRÈME DE LA CRÈME**  
SEC. 15, T13S, R23E  
JOHNSON COUNTY, KANSAS

**Payne & Brockway P.A.**  
CIVIL ENGINEERS & LAND SURVEYORS  
458 SOUTH KANSAS AVE. OLAHE, KANSAS 66051  
TEL: 913-782-4800 FAX: 913-782-9097  
WWW.PAYNE-BROCKWAY.COM



- \*\* = Including an Existing U/E Book 7384, Page 421
- \*\*\* = Including an Existing WQDQ/E Book 201507, Page 004652 & an Existing D/E, Book 201810, Page 006594
- \*\*\*\* = Including Existing SS/E's, Book 201507, Page 008959 & Book 201507, Page 011753



### EXISTING 15' SANITARY SEWER EASEMENT DETAIL

In approving this Plat and by the recording of this Plat with Office of the Register of Deeds of Johnson County, Kansas, The City of Olathe hereby now vacates the existing Sanitary Sewer Easement across Tract A.

NOTES:  
The basis for bearings on this plat is the plotted bearings as established by a previous plat SUNNYBROOK, Plat Book 114, Page 31.  
Set monuments were established from original control and coordinates of the SUNNYBROOK, recorded in Plat Book 114, Page 31.  
Lot 1 shall have No Direct Vehicular Access to Sunnybrook Boulevard and 113th Street, except as shown on this plat.  
In approving this plat by the City of Olathe and recording this plat with the Office of the Register of Deeds, restrictions and covenants, building lines, and lot lines that lie within those parts of Lot 6, SUNNYBROOK, being replatted, are hereby now vacated, except as shown on this plat.  
Lot 1 shall have front yard utilities and shall be screened as per The City of Olathe's Unified Development Ordinances.  
Based on fieldwork and final engineering design, the exact location of easements are subject to change prior to the plat recording.  
All existing easements shown or referenced on this plat are according to the title report stated on this plat.  
According to F.I.R.M. Map No. 2009R000630 Johnson County, Kansas, dated August 3, 2009 this entire site is determined to be outside the 100-year floodplain.  
2,169.58' (plot boundary distance) / .0110' (closing distance) = unadjusted error of closure 1 in 197,235.45  
ALL AREAS DESIGNATED ON THE PLAT AS DRAINAGE EASEMENT SHALL REMAIN FREE OF FENCES, SHRUBS, AND OTHER OBSTACLES THAT WOULD RESTRICT THE FLOW OF DRAINAGE.