

MINOR SUBDIVISION PLAT OF
DELMAR GARDENS OF OLATHE
A RESURVEY AND REPLAT OF LOT 2 AND PART OF LOT 1, DELMAR GARDENS,
A SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

LEGAL DESCRIPTION

All of Lot 2 and part of Lot 1, DELMAR GARDENS, a platted subdivision of land in the Southeast Quarter of Section 19, Township 13 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:
Beginning at Southwest corner of said Lot 1, said point also being on the Easterly right-of-way line of Interstate 35 and the frontage road Rogers Road, as now established; thence Northeasterly, along the Easterly right-of-way line of said Interstate 35 and Rogers Road, on a curve to the right, said curve having an initial tangent bearing of N 30°47'47" E and a radius of 11309.16 feet, on an arc distance of 445.19 feet to the Southwest plot corner of AMERCO REAL ESTATE COMPANY, a platted subdivision of land in the City of Olathe, Johnson County, Kansas; thence N 88°43'37" E, along the South plot line of said AMERCO REAL ESTATE COMPANY, a distance of 640.57 feet to the Southwest plot corner of said AMERCO REAL ESTATE COMPANY, said point also being on the Westerly right-of-way line of Mur-Len Road, as now established; thence S 1°16'23" E, along the Westerly right-of-way line of said Mur-Len Road, a distance of 152.01 feet; thence Southerly along the Westerly right-of-way line of said Mur-Len Road, on a curve to the right, said curve being tangent to the last described course and having a radius of 5679.58 feet, on an arc distance of 126.19 feet; thence S 0°00'00" E, along the Easterly right-of-way line of said Mur-Len Road, a distance of 180.07 feet; thence S 53°37'41" W, along the Westerly right-of-way line of said Mur-Len Road, a distance of 19.56 feet to a point on the South line of said Lot 1, said point also being on the Northerly right-of-way line of 126th Terrace, as now established; thence along the Southerly line of said Lot 1 and 2 and the Northerly right-of-way line of said 126th Terrace, for the following five (5) courses; thence N 90°00'00" W, a distance of 44.25 feet; thence Southwesterly on a curve to the left, said curve being tangent to the last described course and having a radius of 310.00 feet, on an arc distance of 282.07 feet; thence Southwesterly, Westerly and Northwesterly on a curve to the right, said curve being tangent to the last described course and having a radius of 255.00 feet, on an arc distance of 521.91 feet; thence Northwesterly on a curve to the left, said curve being tangent to the last described course and having a radius of 310.00 feet, on an arc distance of 186.62 feet; thence N 59°21'22" W, a distance of 23.17 feet to the point of beginning, containing 10.2418 acres, more or less, replatted land.

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "DELMAR GARDENS OF OLATHE".

DEDICATION

The undersigned proprietors of the 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.

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

The undersigned proprietors of the property shown on this plat, their successors and assigns, do hereby grant perpetual, non-exclusive, mutual cross access easement rights for pedestrian and vehicular ingress and egress access and parking over, across and through the lots and tracts shown hereon.

The undersigned proprietors of the property shown on this plat, their successors and assigns, do hereby agree to maintain the retention pond and easement area in compliance with Title 17 Stormwater Management of the City of Olathe Municipality Code.

Tract "A" as shown hereon, shall be owned and maintained by the undersigned proprietors, their successors and assigns, and shall be utilized as green space, owner amenities and future use as potential parking lot expansion.

CONSENT TO LEVY

The undersigned proprietors of the above described tract of land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release said 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 unpaid special assessments on such land dedicated, shall remain a lien on the remainder of this land fronting and abutting on said dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietors has caused this instrument to be executed on this _____ day of _____, 20____.

OWNER - LOTS 3 AND TRACT "A"

ST. Joseph Care Center, INC.

By: _____

OWNER - LOT 4

Columbia Health Facilities Olathe, L.L.C., a Missouri limited liability company

By: _____

Joseph C. Tutera, Manager

ACKNOWLEDGMENT

STATE OF)
) SS
COUNTY OF)

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a

Notary Public in and for said County and State, came _____ of ST. Joseph Care Center, Inc., who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said corporation, and such person duly acknowledged the execution of the same to be the act and deed of the same.

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

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

STATE OF)
) SS
COUNTY OF)

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a

Notary Public in and for said County and State, came Joseph C. Tutera, Manager of Columbia Health Facilities Olathe, L.L.C., a Missouri limited liability company, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

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

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

APPROVED by the Planning Commission of the City of Olathe, Johnson County, Kansas, this _____ day of _____, 20____.

Chairman: C.S. Vakos



Thomas Dwayne Phelps, Kansas R.L.S. # 1075



PHILIP D. WATKINS, INC.
ENGINEERING
1401 N. Winchell
Olathe, Kansas 66061
(913) 899-1188
Fax: (913) 899-1155

AREA TABLE			
LOT 3	107,146± SQ.FT.	2.460± AC.	
LOT 4	301,521± SQ.FT.	6.922± AC.	
TRACT A	37,464± SQ.FT.	0.860± AC.	

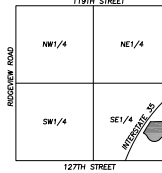
FLOOD NOTE:
THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF OLATHE, COMMUNITY NO. 200172, JOHNSON COUNTY, KANSAS, MAP NO. 2000100106 AND 2000100066, AND DATED AUGUST 3, 2006.



SCALE: 1"=50'
0' 50' 100'
BEARING BASED: RECORDED PLAT OF "DELMAR GARDENS"

LOT 3
DELMAR GARDENS

- LEGEND**
- DENOTES SET 1/2" X 24" REBAR W/PH/PLS CORP CLS-82 PLASTIC CAP
 - DENOTES FOUND SURVEY MONUMENT AS DESCRIBED
 - ▲ DENOTES FOUND "X" CUT
 - (PLATTED) DENOTES DEDICATED BY PLAT OF DELMAR GARDENS BK. 54, PG. 30
 - (P) DENOTES PLATTED MEASUREMENT
 - (D) DENOTES DEEDED MEASUREMENT



SCALE: 1"=2000'
VICINITY MAP
SEC. 19-13-24

I, Thomas Dwayne Phelps, hereby certify that in May 2019, I or someone under my direct supervision have made a survey of the above described tract of land and the results of said survey are correctly represented on this plat.