

Approved: 4-8-10  
Date

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on March 11, 2010, in Room 144-S of the Capitol.

All members were present except:  
Senator Tim Owens- excused

Committee staff present:  
Theresa Kiernan, Office of the Revisor of Statutes  
Jason Long, Office of the Revisor of Statutes  
Julian Efirid, Kansas Legislative Research Department  
Dennis Hodgins, Kansas Legislative Research Department  
Connie Burns, Committee Assistant

Conferees appearing before the Committee:  
Senator Mark Taddiken,  
Ron Gaches,  
Jean Bolin, Kansas State Board of Technical Professions  
Thad Fowler, Kansas Society of Land Surveyors  
Melissa Wangemann, Kansas Association of Counties  
James Schmitz, Kansas Association of County Surveyors  
Sean Cahalan, Kansas Association of County Surveyors  
David Yearout, Kansas Association of County Planning & Zoning Officials

Others attending:  
See attached list.

The Committee Minutes for February 23, 24, 25, and March 3 and 4 distributed on March 8, 2010, with no changes stand approved.

**Introduction of bills:**

Senator Morris requested a bill introduction concerning cities and counties; relating to residential fire protection sprinkler systems and changing from four (4) to two (2) attached living units.

Senator Morris moved that this request should be introduced as a committee bill. Senator Francisco seconded the motion. The motion carried.



**SB 566 - Commission on veterans affairs, bimonthly meetings**

Chairman Brungardt opened the hearing on **SB 566**.

Senator Mark Taddiken spoke in favor of the bill. (Attachment 1) The intent of the bill is to lesson the statutorily required number of Veterans' Commission meetings, the required number of meetings would be lowered to six (6) thus potentially saving the Commission approximately \$6,000 per year.

Chairman Brungardt closed the hearing on **SB 566**.

Senator Ostmeyer moved to pass SB 566 out favorably and being non controversial be placed on the Consent Calendar. Senator Pyle seconded the motion. The motion carried.

Review and Possible Action:

**SB 301 - Sub for S 301 by Committee on Federal and State Affairs – Amendments to statutes relating to monumentation of corners in land surveys and recording such surveys**

CONTINUATION SHEET

Minutes of the Senate Federal and State Affairs Committee at 10:30 a.m. on March 11, 2010, in Room 144-S of the Capitol.

Staff updated the committee with an overview of the bill, and provided a chart with substantive issues in the substitute bill, (Attachment 2) and two balloons, 1) proposed by the Kansas Society of Land Surveyors, (Attachment 3) 2) proposed by the Kansas Association of County Surveyors. (Attachment 4)

The committee asked what the difference was between a registered and a licensed land surveyor. Jean Bolin, Kansas State Board of Technical Professions, stated the appropriate term was licensed surveyor.

James Schmitz and Sean Cahalan, Kansas Association of County Surveyors, (KACS) spoke on the bill and stated that there was an Attorney General opinion from 2003, No. 2003-30 addressing this issue. (Attachment 5) The current statutes and the proposal of the Kansas Association of County Surveyors (KACS) require the following; KSA 58-2001, KSA 58-2002, the KSLs proposal strikes the following items in KSA 58-2004:

1. Locations of the monuments
2. Bearings and distances between the monuments
3. Closure calculations
- (b) all horizontal lot calculations and street calculations

These items are critical. They represent all the data produced by the survey. This data explains the survey.

Ron Gaches, spoke on the bill. (Written testimony was not provided)

Thad Fowler, Kansas Society of Land Surveyors, (KSLs) spoke on the bill. (Attachment 6) The cost of the reviews is an unwarranted burden on the consumer and the time delay in having a plat of survey recorded, consumers do not want to pay for a review if one is not required and no one wants harassment of the whole review process as it exists today.

David Yearout, Kansas Association of County Planning & Zoning Officials, (KACPZO) spoke on the bill. (Attachment 7) KACPZO supports the retention of the statutes, but with modifications to recognize changes within the profession and to adjust to the practices of County governments in maintaining the obligation of protecting landowners within our respective borders.

Melissa Wangemann, Kansas Association of Counties, (KAC) spoke on the bill. (Attachment 8) Both proposals meet the KAC legislative platform although KAC's version appears to require a more detailed review, and would be comfortable with either proposal.

Continued Committee discussion on the bill, and no action was taken.

The next meeting is scheduled for March 16, 2010. The meeting was adjourned at 11:45 a.m.



MARK W. TADDIKEN  
SENATOR, 21ST DISTRICT  
CLAY, CLOUD, JEWELL,  
MARSHALL, NEMAHA, REPUBLIC, RILEY,  
AND WASHINGTON COUNTIES  
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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS  
CHAIR: AGRICULTURE  
MEMBER: NATURAL RESOURCES  
UTILITIES  
WAYS & MEANS  
FINANCIAL INSTITUTIONS AND  
INSURANCE

STATEHOUSE—ROOM 223-E  
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Testimony on Senate Bill 556  
to the  
Senate Federal and State Affairs Committee

by Senator Mark Taddiken

March 11, 2010

Chairman Brungardt and Committee members,

Thank you for the opportunity to appear before you today.

**SB 556** was introduced by the Ways and Means Subcommittee on the Kansas Veterans' Affairs Commission. The intent of this bill is to lesson the statutorily required number of Veterans' Commission meetings.

Currently the Commission is required to hold twelve (12) meetings per year. Under **SB 556** the required number of meetings would be lowered to six (6) thus potentially saving the Commission approximately \$6,000 per year.

I would be happy to stand for questions at the appropriate time.

**Substantive Issues in Substitute for Senate Bill 301**

Sn Fed & State  
Attachment 2

3-11-10

Kansas Society of Land Surveyors	Kansas Association of County Surveyors	Notes or Comments
KSA 58-2001 amended to clarify how monuments are to be set.	Same, except does not include phrase "in the ground".	
KSA 58-2001 amended to define "subdivision" as survey dividing land into lots and requiring ratification by local governing body.	Defines "subdivision plat" as plat creating lots, tracts or units and requiring ratification by landowners and approval by local governing body.	
KSA 58-2002 amended to strike "clearly" and "and labeled".	Same; also strikes "subdivision" and inserts "plat" and "or survey".	
KSA 58-2003 amended to strike "public" and the last sentence of the statute.	Same; also inserts "found".	
KSA 58-2004 amended to strike current language on information required to be submitted and replace with corner reference points that are less than 1-year old and closure calculations on exterior boundaries.	Keeps current requirement of locations of monuments and bearings and distances between monuments. Adds closure calculations on exterior boundaries and boundaries of interior parcels, and section corner reports.	

<p>KSA 58-2005 amended to have review conducted by county surveyor or registered land surveyor designated by the county. If neither available then surveyor must arrange for independent review by registered land surveyor.</p>	<p>Review conducted by county surveyor, county engineer if licensed land surveyor, or other licensed land surveyor designated by the county.</p>	
<p>KSA 58-2005 amended to make charge for review discretionary.</p>	<p>Charge for review is mandatory unless waived by the county. Fee must be based on actual cost of review.</p>	
<p>KSA 58-2005 amended to requires that reviewer review for compliance with the requirements of the act.</p>	<p>Require reviewer's signature certifying plat meets all requirements of act.</p>	
<p>KSA 58-2005 amended to authorize counties to require property boundary surveys be reviewed prior to being recorded.</p>	<p>Not included.</p>	
<p>Not included.</p>	<p>KSA 58-2005 amended to include provisions governing how plats are to be reviewed and accepted for recording or filing.</p>	
<p>Not included.</p>	<p>Creates new section of law authorizing county to designate an alternative office to be responsible for accepting plats for filing.</p>	

3

MEMORANDUM

To: Senate Committee on Federal and State Affairs

From: Jason B. Long, Assistant Revisor

Re: Substitute for SB 301  
Balloon Proposed by the Kansas Society of Land Surveyors

Date: March 11, 2010

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This memorandum is to provide a brief summary of the contents of the balloon amendment proposed by the Kansas Society of Land Surveyors for Substitute for SB 301. The balloon proposes to amend all five of the relevant sections of law.

First, the balloon would amend K.S.A. 58-2001 to clarify how the monument for the corners of the exterior boundary are to be set. Also, there is an added definition of the term "subdivision".

Second, the balloon would amend K.S.A. 58-2002 to strike the words "clearly" and "and labeled" as they relate to the corner monument.

Third, the balloon would amend K.S.A. 58-2003 to strike the last sentence of that statute, which refers to an alternative means of determining reference measurements.

Fourth, the balloon would amend K.S.A. 58-2004 to change what information is required to be submitted for review along with a subdivision plat. The balloon would require that corner reference points that are less than one year old and closure calculations of the exterior boundary be submitted with the subdivision plat.

Finally, the balloon would amend K.S.A. 58-2005 such that if the county does not opt out of the statute, a subdivision plat must be reviewed by the county surveyor or a designated registered land surveyor. If the county has neither a county surveyor or a designated registered land surveyor, then the surveyor submitting the plat must arrange for an independent review by a registered land surveyor. The balloon provides that the charge back of the cost of the review would be discretionary. The balloon strikes the last provision of the statute, which pertains to approvals by a planning commission. The balloon also adds a provision authorizing the county to require property boundary surveys be reviewed prior to being recorded.

# Substitute for SENATE BILL No. 301

By Committee on Federal and State Affairs

Senate Committee on Federal and State Affairs

Substitute for SB 301 Balloon

Requested by: Kansas Society of Land Surveyors

Prepared by: J. Long

2-17

9 AN ACT concerning land surveys; relating to monumentation of corners  
 10 and recording of surveys; amending K.S.A. 58-2001 and 58-2005 and  
 11 repealing the existing sections.

, 58-2002, 58-2003, 58-2004

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 58-2001 is hereby amended to read as follows: 58-  
 15 2001. All corners in the boundary of a subdivision of land shall be mon-  
 16 umented prior to recording of the plat submitted for recording after the  
 17 effective date of this section. This monument shall be a metallic bar or  
 18 tube set rigidly in a concrete base.

exterior

subdivision

This monument shall be a metallic bar or pipe set rigidly in the ground. As used in K.S.A. 58-2001 through 58-2005, and amendments thereto, the term "subdivision" means a survey that divides land into lots or lots and blocks and requires ratification by a city or county governing body.

19 Sec. 2. K.S.A. 58-2005 is hereby amended to read as follows: 58-  
 20 2005. ~~Unless the board of county commissioners adopts a resolution ex-~~  
 21 ~~empting the county from the provisions of this section, before a subdivi-~~  
 22 ~~sion plat [or plat of survey may] be recorded, it shall be reviewed by the~~  
 23 ~~county surveyor. [If the county does not have a designated county sur-~~  
 24 ~~veyor, the county engineer shall review the plat if the county engineer~~  
 25 ~~also is a registered land surveyor. In the absence of both a county surveyor~~  
 26 ~~and a county engineer who is a registered land surveyor the plat shall be~~  
 27 ~~reviewed by a registered land surveyor designated by the county.] All cost~~  
 28 ~~for plat review and approval [shall] be charged back to the applicant for~~  
 29 ~~plat approval. [If a subdivision plat or plat of survey is required to be~~  
 30 ~~reviewed pursuant to this section,] the county shall be responsible for the~~  
 31 ~~enforcement of this act. The [and the county surveyor or, county engineer~~  
 32 ~~or other designated registered land surveyor shall certify that such plat~~  
 33 ~~meets all] the requirements of this act. [If any such plat is required to be~~  
 34 ~~submitted to any planning commission for review and approval or dis-~~  
 35 ~~approval, such review and approval duly certified upon the face of such~~  
 36 ~~plat shall not constitute full compliance with the any review required in~~  
 37 ~~this section unless reviewed by the county surveyor or, county engineer~~  
 38 ~~or other designated registered land surveyor.]~~

(a)

Insert Sections 2 through 4 (attached)

can

at the register of deeds

or by a registered land surveyor designated by the county

If the county does not have a county surveyor and has not designated a registered land surveyor to review subdivision plats, then the surveyor that prepared the subdivision plat shall arrange for an independent review by a registered land surveyor.

may

. The reviewing surveyor shall review the plat and other submittals for compliance with

(b) The board of county commissioners may by resolution require property boundary surveys to be reviewed by the county surveyor prior to being recorded at the register of deeds.

39 Sec. 3. K.S.A. 58-2001 and 58-2005 are hereby repealed.  
 40 Sec. 4. This act shall take effect and be in force from and after its  
 41 publication in the statute book.

, 58-2002, 58-2003, 58-2004



**58-2002. Same; subdivision control; monumentation.** Where any section corner, quarter section corner or section center is involved in the control establishing the location of a subdivision boundary, said point shall be ~~clearly~~ monumented ~~and labeled~~ before it is used in the subdivision control.

**58-2003. Recording measurements from visible objects to location of point; description; alternative.** When any section corner, quarter section corner or section center is set or reset by a surveyor and when any such corner is located by a surveyor in the course of carrying out a public survey, there shall be recorded, in the manner provided by K.S.A. 58-2011, and amendments thereto, reference measurements from permanent, visible objects to the location of the point as set, reset or located. These reference objects shall be described clearly. In lieu of reference measurements from visible objects, such reference measurements may be made from triangulation stations maintained by the national ocean service/national geodetic survey or by utilizing the state plane coordinate system prescribed by K.S.A. 58-20a01 et seq., and amendments thereto.

**58-2004. Information required with plats.** The following information shall be submitted to the reviewing surveyor with all plats for subdivisions of land:

(a) ~~Exterior boundary plat showing: (1) Locations of the monuments, (2) bearings and distances between the monuments, (3) closure calculations.~~ *Corner reference reports prepared by the surveyor as required by K.S.A. 58-2003 and 58-2011, and amendments thereto, that are not more than one year old.*

(b) ~~All horizontal lot calculations and street calculations.~~ *Closure calculations of the exterior boundary or equivalent electronic data files acceptable to the reviewing surveyor.*

MEMORANDUM

To: Senate Committee on Federal and State Affairs

From: Jason B. Long, Assistant Revisor

Re: Substitute for SB 301  
Balloon Proposed by the Kansas Association of County Surveyors

Date: March 11, 2010

This memorandum is to provide a brief summary of the contents of the balloon amendment proposed by the Kansas Association of County Surveyors for Substitute for SB 301. The balloon proposes to amend all five of the relevant sections of law and would add a new section of law.

First, the balloon would amend K.S.A. 58-2001 to clarify how the monument for the corners of the exterior boundary are to be set. Also, there is an added definition of the term "subdivision plat".

Second, the balloon would amend K.S.A. 58-2002 to strike the words "clearly" and "and labeled" as they relate to the corner monument. The balloon also makes amendments with respect to the type of boundary and the control.

Third, the balloon would amend K.S.A. 58-2003 to strike the last sentence of that statute, which refers to an alternative means of determining reference measurements.

Fourth, the balloon would amend K.S.A. 58-2004 to change what information is required to be submitted for review along with a subdivision plat. The balloon would require that closure calculations of the exterior boundary, or equivalent data files, and section corner reports required by K.S.A. 58-2011 be submitted with the subdivision plat.

Fifth, the balloon would amend K.S.A. 58-2005 such that if the county does not opt out of the statute, a subdivision plat must be reviewed by the county surveyor, the county engineer, if a licensed land surveyor, or a licensed land surveyor designated by the county if the county does not have a county surveyor or county engineer who is a licensed land surveyor. The balloon provides that the cost of the review is to be charged back to the submitting surveyor unless the fee is waived by the county. Also, the fee for review must be based on the actual cost of the

review as approved by the board of county commissioners. The balloon also requires the reviewer to sign the review certifying that the plat meets all the requirements of the act.

The balloon further amends K.S.A. 58-2005 by adding a new paragraph that provides for what should be reviewed during a subdivision plat review. New paragraph (3) provides for how the register of deeds or other designated county office may accept a subdivision plat for recording or filing. New paragraph (4) provides for how the reviewer is to conduct the review of the subdivision plat, including secondary reviews of an amended plat. Finally, new paragraph (5) provides for how long the reviewer may take to conduct the review of a plat.

Finally, the balloon creates a new section of law to allow counties to designate an alternative county office to accept subdivision plats for filing. Under this provision a county could designate another county office, such as the office of the county surveyor, to be responsible for accepting reviewed subdivision plats and for keeping an index of all filed plats.

# Substitute for SENATE BILL No. 301

By Committee on Federal and State Affairs

2-17

Senate Committee on Federal and State Affairs

Substitute for SB 301 Balloon

Requested by: Kansas Association of County Surveyors

Prepared by: J. Long

9 AN ACT concerning land surveys; relating to monumentation of corners  
 10 and recording of surveys; amending K.S.A. 58-2001<sup>1</sup> and 58-2005 and  
 11 repealing the existing sections.

, 58-2002, 58-2003, 58-2004

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

New Section 1. (see attached)  
and renumber the remaining sections accordingly

14 Section 1. K.S.A. 58-2001 is hereby amended to read as follows: 58-  
 15 2001. All corners in the boundary of a subdivision of land shall be mon-  
 16 umented prior to recording of the plat submitted for recording after the  
 17 effective date of this section. This monument shall be a metallic bar or  
 18 tube set rigidly in a concrete base.

exterior

This monument shall be a metallic bar or pipe set rigidly. As used in K.S.A. 58-2001 through 58-2005, and amendments thereto, the term "subdivision plat" means a plat that creates lots, tracts or units and requires ratification by all owners having title interest and approval by a city or county governing body.

19 Sec. 2. K.S.A. 58-2005 is hereby amended to read as follows: 58-  
 20 2005. Unless the board of county commissioners adopts a resolution ex-  
 21 empting the county from the provisions of this section, before a subdivi-  
 22 sion plat or plat of survey may be recorded, it shall be reviewed by the  
 23 county surveyor. If the county does not have a designated county sur-  
 24 veyor, the county engineer shall review the plat if the county engineer  
 25 also is a registered land surveyor. In the absence of both a county surveyor  
 26 and a county engineer who is a registered land surveyor the plat shall be  
 27 reviewed by a registered land surveyor designated by the county. All cost  
 28 for plat review and approval shall be charged back to the applicant for  
 29 plat approval. If a subdivision plat or plat of survey is required to be  
 30 reviewed pursuant to this section, the county shall be responsible for the  
 31 enforcement of this act. The and the county surveyor or county engineer  
 32 or other designated registered land surveyor shall certify that such plat  
 33 meets all the requirements of this act. If any such plat is required to be  
 34 submitted to any planning commission for review and approval or dis-  
 35 approval, such review and approval duly certified upon the face of such  
 36 plat shall not constitute full compliance with the any review required in  
 37 this section unless reviewed by the county surveyor or county engineer  
 38 or other designated registered land surveyor.

Insert Sections 2 through 4 (attached)

: (1) Before

submitted for recording with the register of deeds or filing with any other designated county office

only

licensed

, unless such fee is waived by the county. The fee to be charged for plat review shall be an amount based on actual cost as approved by the board of county commissioners

designated reviewer

by signature

39 Sec. 3. K.S.A. 58-2001 and 58-2005 are hereby repealed.

40 Sec. 4. This act shall take effect and be in force from and after its  
41 publication in the statute book.

Additional provisions for K.S.A. 58-2005 (see attached)

, 58-2002, 58-2003, 58-2004

**58-2002. Same; subdivision control; monumentation.** Where any section corner, quarter section corner or section center is involved in the control establishing the location of a subdivision boundary, said point shall be clearly monumented and labeled before it is used in the subdivision *plat* control *or survey*.

**58-2003. Recording measurements from visible objects to location of point; description; alternative.** When any section corner, quarter section corner or section center is set or reset by a surveyor and when any such corner is located by a surveyor in the course of carrying out a public survey, there shall be recorded, in the manner provided by K.S.A. 58-2011, and amendments thereto, reference measurements from permanent, visible objects to the location of the point as set, reset, *found* or located. These reference objects shall be described clearly. ~~In lieu of reference measurements from visible objects, such reference measurements may be made from triangulation stations maintained by the national ocean service/national geodetic survey or by utilizing the state plane coordinate system prescribed by K.S.A. 58-20a01 et seq., and amendments thereto.~~



**58-2004. Information required with plats.** The following information shall be submitted with all plats for subdivisions of land *to the reviewing surveyor when they are to be reviewed:*

(a) Exterior boundary plat showing: (1) Locations of the monuments, (2) bearings and distances between the monuments, *and* (3) closure calculations *of the exterior boundary and boundary of interior of parcels, or equivalent data files acceptable to the reviewing surveyor.*

(b) ~~All horizontal lot calculations and street calculations.~~ *Section corner reports prepared by the surveyor to be filed as required by K.S.A. 58-2011, and amendments thereto.*

New Section 1. (a) In lieu of recording plats at the register of deeds, the board of county commissioners may designate by resolution another county office where plats are to be filed for archival purposes. If an office other than the register of deeds is designated for the filing of plats, then that office shall maintain an index of all plats by section, township and range.

(b) The cost for recording a plat at the register of deeds shall be the same as provided by statute for similar documents. If another office is designated for the filing of plats, the cost to file a plat shall be no more than the amount to record such plat at the register of deeds.

#### K.S.A. 58-2005 Additional Provisions

(2) The plat shall be reviewed for:

- (A) Closure of the exterior boundary and boundary of interior of parcels;
- (B) legal description;
- (C) compliance with K.S.A. 58-2011, and amendments thereto;
- (D) compliance with the following sections of the minimum standards for boundary surveys adopted by the board of technical professions:
  - (i) Plat or certificate of survey, or plat of subdivision;
  - (ii) monumentation; and
  - (iii) perpetuation; and
- (E) compliance with K.S.A. 58-3101 *et seq.* and K.S.A. 58-3701 *et seq.*, and amendments thereto, where applicable.

(3) The register of deeds or other designated county office may:

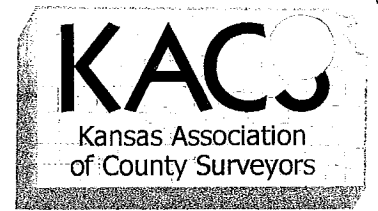
- (A) Accept a plat for recordation only after the reviewer's signature is affixed to the face of the plat; or
- (B) accept the plat, filing fee and review fee prior to review, then deliver the plat with the review fee to the reviewer. The reviewer shall return the plat to the register of deeds or other designated county office, or to the submitting surveyor upon completion of the review.

(4) The reviewer shall identify all deficiencies on the initial review when possible. The reviewer shall complete a deficiency correction verification without additional charge. If new deficiencies are identified on the amended plat not present on the initial submittal then an additional review fee may be charged for final approval by the reviewer, provided, that such additional review fee shall not be more than the amount charged for the original review.

(5) Upon receiving a plat the reviewer shall take no more than 15 business days to complete the initial review and return the plat to the appropriate recipient. Upon receiving an amended plat the reviewer shall complete the deficiency correction verification and return the plat to the appropriate recipient within seven business days.

# Kansas Association of County Surveyors

c/o Johnson County Surveyor  
1800 W. Old 56 Hwy  
Olathe, Kansas 66061



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785.424.0537

## Kansas Association of County Surveyors (KACS) proposal EXHIBIT A

The statutes being discussed mandate review of survey plats. Plat is just another term for map. There are two common types of plats done by land surveyors:

Subdivision plat	Generally done to subdivide property in to marketable lots of ownership. Creates legal descriptions of parcels i.e. Lot 75, Maple Ridge III
Exhibit B, C, D	Can be used to dedicate rights-of-way and easements. Approved by a planning commission. About 80% of plats
Plat of survey aka certificate of survey	May be done for a boundary survey or when property is being divided. Graphic depiction of survey. May depict new parcels.
Exhibit E, F	Does not transfer ownership or dedicate rights-of-way or easements. About 20% of plats

Currently any type of plat must be reviewed before it can be recorded.

The KSLs proposal would require only subdivision plats to be reviewed.

The only topic at question is what items for which to review.

Whether or not to do a review is no longer a question because both proposals require review.

The current statutes and the proposal of the Kansas Association of County Surveyors (KACS) require the following:

### KSA 58-2001

"All corners in the boundary of a subdivision of land shall be monumented prior to recording of the plat submitted for recording..."

### KSA 58-2002

"Where any section corner, quarter section corner or section center is involved in the control establishing the location of a subdivision boundary, said point shall be clearly monumented and labeled before it is used in the subdivision control."

The KSLs proposal strikes all these items from KSA 58-2004.

Surveyor to submit:

(a) Exterior boundary plat showing:

- |  |  |
|--|--|
| (1) Locations of the monuments                   | This means showing the plat boundary corner and section corner monuments on the plat, usually with symbols.  |
| (2) bearings and distances between the monuments | This means dimensioning the lines on the plat which generally include the boundary lines, section lines, lot lines and streets. Without dimensions the plat is just a bunch of geometric shapes of unknown size. |
| (3) closure calculations                         | This is a mathematical closure table for the legal descriptions shown on the plat.   |

(b) All horizontal lot calculations and street calculations.

This requirement means the streets and lots must be dimensioned to be able to be checked.

These items are critical. They represent all the data produced by the survey. This data explains the survey.

B-2  
5-2



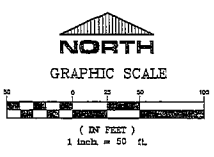
FINAL PLAT  
OF  
MAPLE RIDGE III  
CITY OF SPRING HILL  
JOHNSON COUNTY, KANSAS

NE COR. NE 1/4  
SECTION 11-15-23  
BEARING 21' ALUMINUM DISH  
STAMPED JOHNSON COUNTY  
CORNER

LOT NUMBERS	AREAS
75	9,000
76	9,375
77	11,045
78	12,024
79	9,731
80	9,476
81	9,828
82	9,958
83	10,042
84	9,442
85	10,200
86	9,600
87	9,574
88	9,311
89	9,179
90	9,245
91	10,576
92	13,739
93	12,966
94	11,726
95	11,152
RIGHT-OF-WAY	47,407

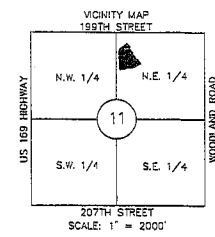
Per  
Current Review  
statutes  
&  
Per KACS  
review bill

Items in  
Green reviewed



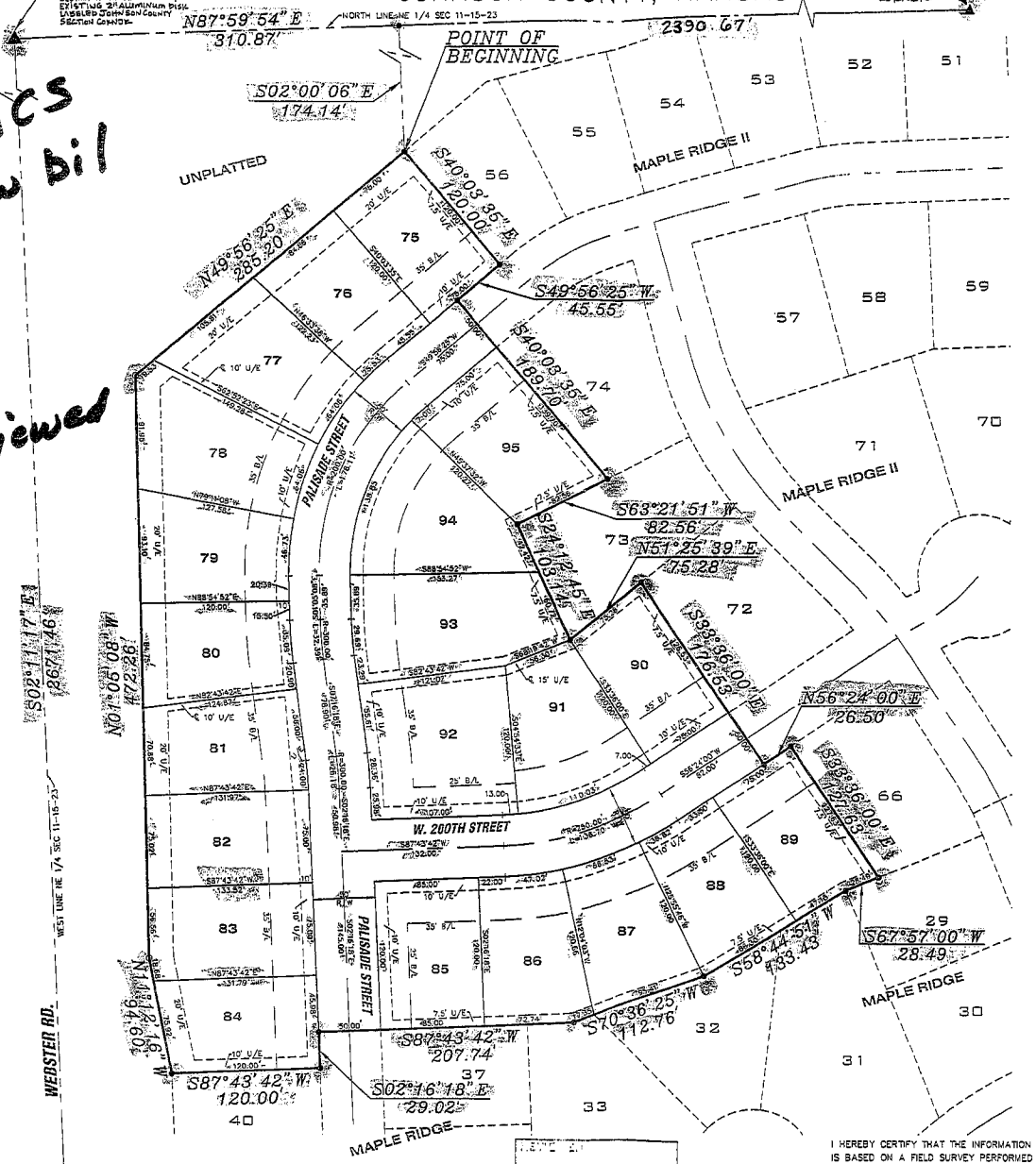
- LEGEND
- 1/2" BAR 24" IN LENGTH WITH PLASTIC CAP K.S. L.S. 93 SET IN CONC.
  - REBAR FOUND (IN CONC.)
  - ▲ MONUMENT FOUND
  - B/L BUILDING LINE

NOTE:  
ENTIRE SITE LIES WITHIN AN AREA DETERMINED TO BE OUTSIDE OF 100 YEAR FLOOD PLAIN (ZONE X) AS ILLUSTRATED ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR JOHNSON COUNTY, KANSAS (MAP NUMBER 20091 C0140 D).



POINT OF COMMENCING  
BY COR. NE 1/4  
SECTION 11-15-23  
EASTING 21' ALUMINUM DISH  
STAMPED JOHNSON COUNTY  
SECTION CORNER.

POINT OF BEGINNING



The undersigned and subject herein a part of the Northeast Quarter of Section 11-15-23...  
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 Spring Hill, Johnson County, Kansas, shall have the power to release such land...  
IN TESTIMONY WHEREOF, L.D.K. Development, Inc., a Kansas Corporation, has by the authority of the Board of Directors, caused this instrument to be executed by its president, this 20th day of April, 2005.

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 Spring Hill, Johnson County, Kansas, shall have the power to release such land...  
IN TESTIMONY WHEREOF, L.D.K. Development, Inc., a Kansas Corporation, has by the authority of the Board of Directors, caused this instrument to be executed by its president, this 20th day of April, 2005.

The undersigned proprietors of said property shown on this plat do hereby dedicate to public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, avenues, lanes, and alleys.

An easement or license is hereby granted to the City of Spring Hill, Johnson County, Kansas, and to all public utility companies duly incorporated and licensed to do business in Johnson County, Kansas, to enter upon, locate, construct, and maintain, poles, wires, anchors, pipes, conduits, sewers, surface drainage facilities, etc., upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", "Drainage Easement" or "D/E".

The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of Johnson County, Kansas, and the City of Spring Hill, Johnson County, Kansas, shall have the power to release such land...  
IN TESTIMONY WHEREOF, L.D.K. Development, Inc., a Kansas Corporation, has by the authority of the Board of Directors, caused this instrument to be executed by its president, this 20th day of April, 2005.

IN TESTIMONY WHEREOF, L.D.K. Development, Inc., a Kansas Corporation, has by the authority of the Board of Directors, caused this instrument to be executed by its president, this 20th day of April, 2005.

L.D.K. DEVELOPMENT, INC.  
By: William E. Kiasing, President

STATE OF Kansas )  
COUNTY OF Johnson ) SS.

BE IT REMEMBERED that on this 20th day of April, 2005, before me the undersigned, a Notary Public in and for the County and State aforesaid, came William E. Kiasing, President of L.D.K. Development, Inc., a Kansas Corporation, duly organized and incorporated and existing under and by virtue of the laws of the State of Kansas, who is personally known to me to be such officer and who is personally known to be the same person who executed as such officer the within instrument of writing on behalf of said Corporation, and such person 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 affixed my notarial seal the day and year last above written.

My Commission Expires: Sept 15, 2005  
Julie A. Norman, Notary Public

APPROVED BY, the Planning Commission of the City of Spring Hill, Johnson County, Kansas, this 23rd day of March, 2005.  
Brian Haupt, Chairman

APPROVED BY, the Governing Body of the City of Spring Hill, Johnson County, Kansas, this 24th day of March, 2005.  
Mark Squire, Mayor  
Beverly Hayden, City Clerk

BASIS OF BEARING: FINAL PLAT OF MAPLE RIDGE II  
MAPLE RIDGE III



CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS  
122 N. WATER STREET  
OLATHE, KANSAS 66061  
PHONE: (913) 764-1076  
FAX: (913) 764-8653  
11 W. PEDORIA  
PAOLA, KANSAS 66071  
PHONE: (913) 557-1076  
FAX: (913) 557-8904

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION, AS OF DATE OF SURVEY 11/25/03



DATE: 4/16/05

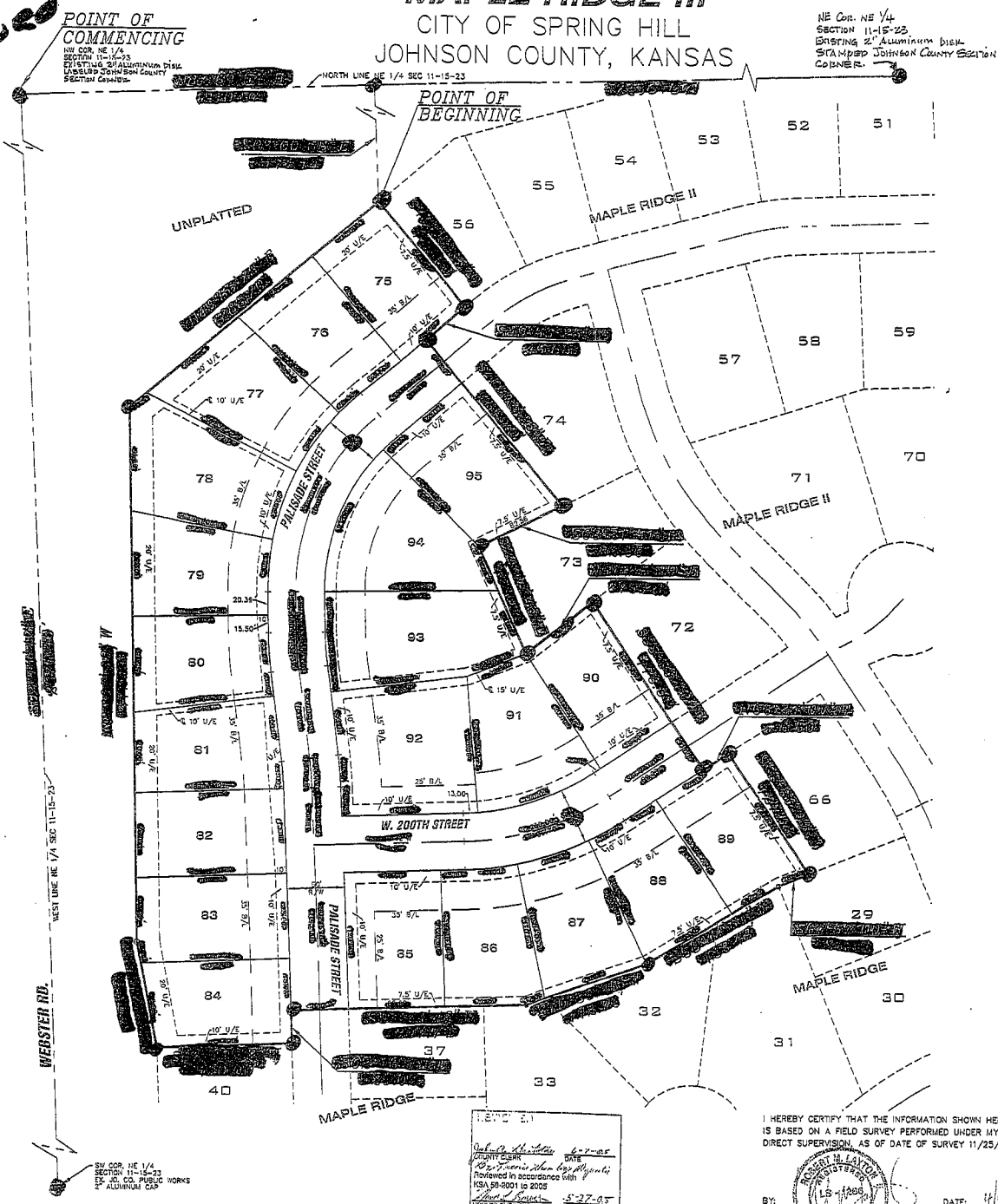


Per KSLs bill

# FINAL PLAT OF MAPLE RIDGE III CITY OF SPRING HILL JOHNSON COUNTY, KANSAS

Items in Red not reviewed

LOT NUMBERS	LOT AREAS
75	9,000
76	9,375
77	11,045
78	12,024
79	9,731
80	9,476
81	9,828
82	9,956
83	10,042
84	9,442
85	10,200
86	9,800
87	9,574
88	9,311
89	9,179
90	9,245
91	10,576
92	13,739
93	12,986
94	11,726
95	11,152
RIGHT-OF-WAY	47,407



This is a survey and subdivision of a part of the Northeast Quarter of Section 11, Township 15, Range 23, now in the City of Spring Hill, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 11; thence North 37 degrees 59 minutes 24 seconds East, along the North line of the Northeast Quarter of said Section 11, a distance of 310.7 feet; thence South 2 degrees 00 minutes 03 seconds East, a distance of 174.14 feet, to the point of beginning; thence South 40 degrees 03 minutes 35 seconds East, along the West line of Maple Ridge II, a subdivision of land now in the City of Spring Hill, Johnson County, Kansas, a distance of 120.00 feet; thence South 49 degrees 55 minutes 25 seconds West, along said West line a distance of 45.55 feet; thence South 40 degrees 03 minutes 35 seconds East, along said West line a distance of 189.70 feet; thence South 53 degrees 21 minutes 51 seconds West, along said West line a distance of 82.58 feet; thence South 24 degrees 12 minutes 45 seconds East, a distance of 103.14 feet; thence North 51 degrees 25 minutes 39 seconds East, along said West line, a distance of 75.28 feet; thence South 33 degrees 35 minutes 00 seconds East, a distance of 178.53 feet; thence North 55 degrees 24 minutes 00 seconds East, along said West line a distance of 26.50 feet; thence South 23 degrees 38 minutes 00 seconds East, along said West line a distance of 127.03 feet; thence South 67 degrees 57 minutes 00 seconds West, along the North line of Maple Ridge, a subdivision of land now in the City of Spring Hill, Johnson County, Kansas, a distance of 26.45 feet; thence South 55 degrees 44 minutes 51 seconds West, along said North line a distance of 193.43 feet; thence South 70 degrees 38 minutes 25 seconds West, along said North line a distance of 112.70 feet; thence South 87 degrees 43 minutes 42 seconds West, along said North line a distance of 207.74 feet; thence South 2 degrees 16 minutes 18 seconds East, along said North line a distance of 29.02 feet; thence South 87 degrees 43 minutes 42 seconds West, along said North line a distance of 120.00 feet; thence North 11 degrees 12 minutes 16 seconds West, a distance of 94.60 feet; thence North 1 degree 05 minutes 00 seconds West, a distance of 472.26 feet; thence North 45 degrees 58 minutes 25 seconds East, a distance of 265.20 feet, to the point of beginning, containing 6.07 acres more or less.

The undersigned proprietors to 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 "MAPLE RIDGE III".

The undersigned proprietors of said property shown on this plat do hereby dedicate to public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, lanes, places, roads, avenues, lanes, and alleys.

An easement or license is hereby granted to the City of Spring Hill, Johnson County, Kansas, and to all public utility companies duly incorporated and licensed to do business in Johnson County, Kansas, to enter upon, locate, construct, and maintain, poles, wires, anchors, pipes, conduits, sewers, surface drainage facilities, etc., upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", "Drainage Easement" or "D/E".

The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of Johnson County, Kansas, and the City of Spring Hill, 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 on such land dedicated shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public ways or thoroughfares.

IN TESTIMONY WHEREOF, L.D.K. Development, Inc., a Kansas Corporation, has by the authority of the Board of Directors, caused this instrument to be executed by its president, this 24th day of March, 2005.

L.D.K. DEVELOPMENT, INC.  
By William E. Kiesling, Jr. President

STATE OF Kansas )  
COUNTY OF Johnson ) SS:

BE IT REMEMBERED, that on this 24th day of March, 2005, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came William E. Kiesling, Jr., President of L.D.K. Development, Inc., a Kansas Corporation, duly organized and incorporated and existing under and by virtue of the laws of the State of Kansas, who is personally known to me to be such officer and who is personally known to be the same person who executed as such officer the within instrument of writing on behalf of said Corporation, and such person 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 affixed my notarial seal the day and year last above written.

My Commission Expires: Sept 16, 2005  
Julie A. Norman  
Notary Public

APPROVED BY, the Planning Commission of the City of Spring Hill, Johnson County, Kansas, this 24th day of March, 2005.  
Brian Haupt, Chairman

APPROVED BY, the Governing Body of the City of Spring Hill, Johnson County, Kansas, this 24th day of March, 2005.  
Mark Squire, Mayor  
Attest: Beverly Hayden, City Clerk

BASIS OF BEARING: FINAL PLAT OF MAPLE RIDGE II  
MAPLE RIDGE III

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION, AS OF DATE OF SURVEY 11/25/03



DATE: 4/1/05



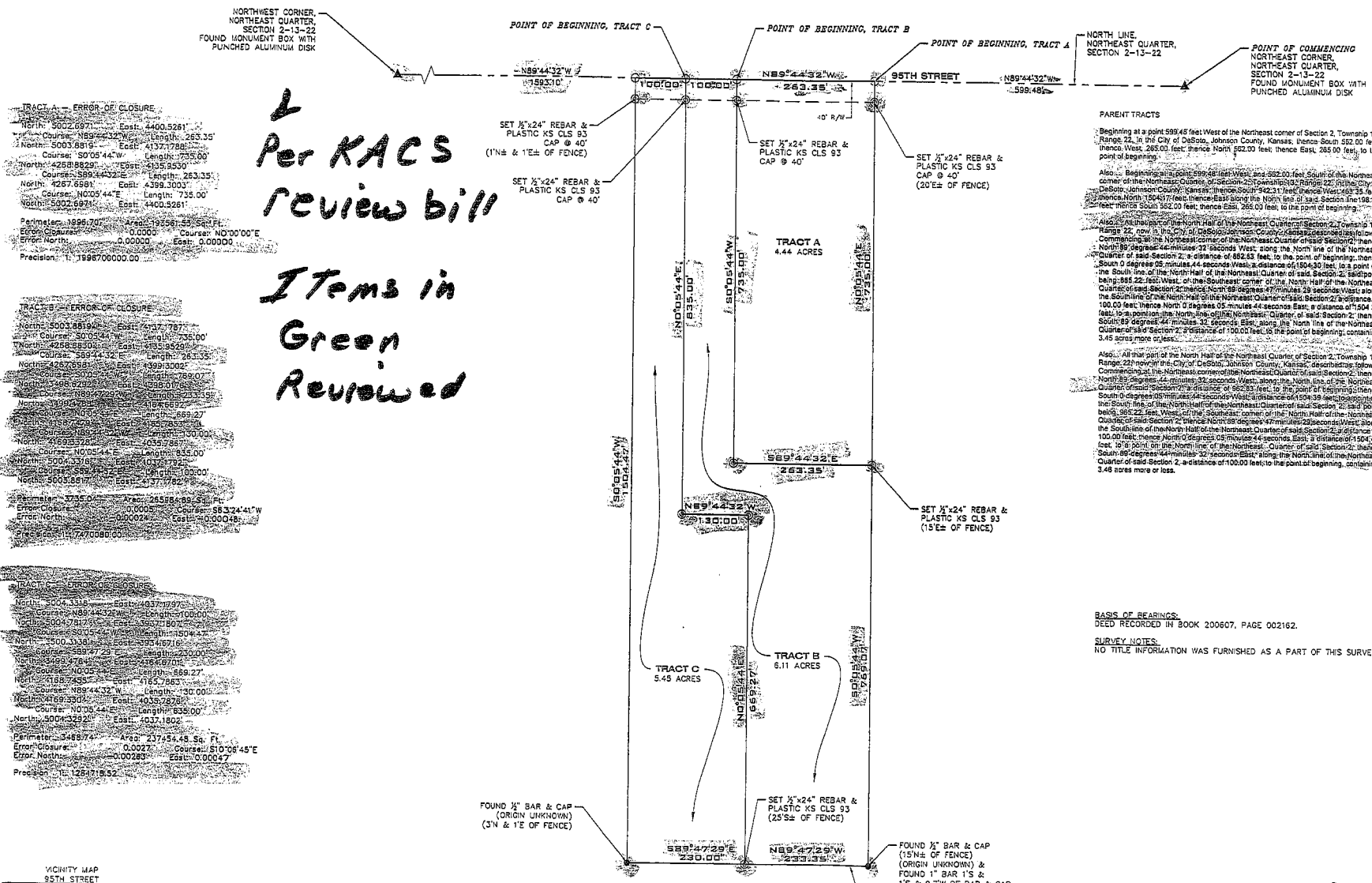
CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS  
14 W. PIEDMONT  
PAOLA, KANSAS 66201  
PHONE: (913) 754-1076  
FAX: (913) 764-8033



Per Current Review Statutes

SURVEY

E



Per KACS Review bill Items in Green Reviewed

TRACT A - ERROR OF CLOSURE  
North: 5002.697 East: 4400.5261  
Course: N89°44'32\"

PARENT TRACTS  
Beginning at a point 999.45 feet West of the Northeast corner of Section 2, Township 13, Range 22, in the City of Olathe, Johnson County, Kansas, thence South 52.00 feet, thence West 265.00 feet, thence North 52.00 feet, thence East 265.00 feet, to the point of beginning.

TRACT A LEGAL DESCRIPTION  
All that part of the North Half of the Northeast Quarter of Section 2, Township 13, Range 22, in the City of Olathe, Johnson County, Kansas, described as follows: Commencing at the Northeast corner of the Northeast Quarter of said Section 2, thence North 89 degrees 44 minutes 32 seconds West, a distance of 999.45 feet to the Point of Beginning; thence continuing North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 263.35 feet; thence South 0 degrees 05 minutes 44 seconds West, a distance of 735.00 feet; thence South 89 degrees 44 minutes 32 seconds East, a distance of 263.35 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 735.00 feet to the Point of Beginning, containing 4.44 acres, more or less.

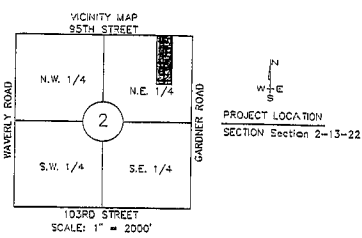
TRACT B LEGAL DESCRIPTION  
All that part of the North Half of the Northeast Quarter of Section 2, Township 13, Range 22, in the City of Olathe, Johnson County, Kansas, described as follows: Commencing at the Northeast corner of the Northeast Quarter of said Section 2, thence North 89 degrees 44 minutes 32 seconds West, a distance of 999.45 feet to the Point of Beginning; thence continuing North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 263.35 feet; thence South 0 degrees 05 minutes 44 seconds West, a distance of 735.00 feet; thence South 89 degrees 44 minutes 32 seconds East, a distance of 263.35 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 735.00 feet to the Point of Beginning, containing 6.11 acres, more or less.

TRACT C LEGAL DESCRIPTION  
All that part of the North Half of the Northeast Quarter of Section 2, Township 13, Range 22, in the City of Olathe, Johnson County, Kansas, described as follows: Commencing at the Northeast corner of the Northeast Quarter of said Section 2, thence North 89 degrees 44 minutes 32 seconds West, a distance of 999.45 feet to the Point of Beginning; thence continuing North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 263.35 feet; thence South 0 degrees 05 minutes 44 seconds West, a distance of 735.00 feet; thence South 89 degrees 44 minutes 32 seconds East, a distance of 263.35 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 735.00 feet to the Point of Beginning, containing 5.45 acres, more or less.

PREPARED FOR:  
DEED RECORDED IN BOOK 200607, PAGE 002162.  
SURVEY NOTES:  
NO TITLE INFORMATION WAS FURNISHED AS A PART OF THIS SURVEY.

PREPARED FOR:  
MARK MARTINEZ  
1292 S RENE  
OLATHE, KANSAS 66062  
PHONE: (913) 449-0745

PREPARED BY:  
ALLEN BRAND - DREWS & ASSOCIATES, INC.  
122 N. WATER STREET  
OLATHE, KANSAS 66061  
PHONE: (913) 764-1078  
FAX: (913) 764-8835

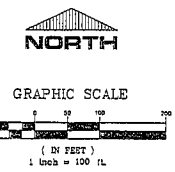


CERTIFICATION:  
I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS IN ACCORDANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. AS OF DATE OF SURVEY: APRIL 27, 2009



BY: [Signature] DATE: 6/1/09

- LEGEND  
▲ MONUMENT SET AS DESCRIBED  
▲ MONUMENT FOUND AS DESCRIBED  
● BAR FOUND AS DESCRIBED  
○ SET 1/2\"

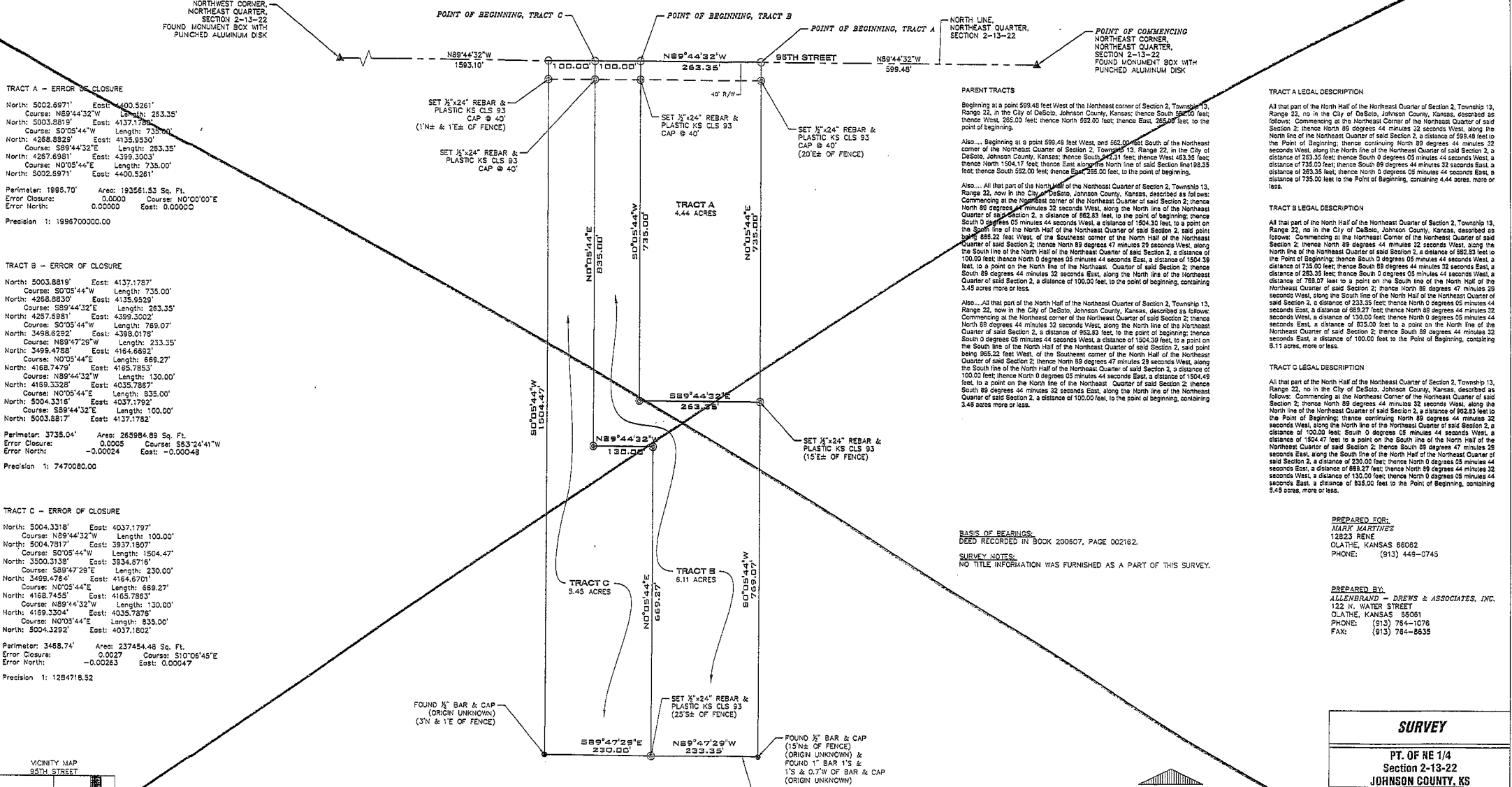
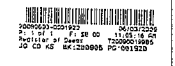


Reviewed in accordance with  
KSA 59-2001 to 2005  
Allen Brand  
6-2-09  
OLATHE COUNTY SURVEYOR

**SURVEY**  
PT. OF NE 1/4  
Section 2-13-22  
JOHNSON COUNTY, KS  
**AD**  
ALLEN BRAND & ASSOCIATES, INC.  
CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS  
122 N. WATER STREET  
OLATHE, KANSAS 66061  
PHONE: (913) 764-1078 FAX: (913) 764-8835  
Scale: 1" = 100' Drawn By: JRC Project: 27073  
Date: 4/27/09 Checked By: PML Section: 2-13-22  
SURVEY

Per KSLs bill  
plats of survey are not reviewed

# SURVEY



**TRACT A - ERROR OF CLOSURE**

North: 5002.8971' East: 4400.5261'  
 Course: N89°44'32"W Length: 263.35'  
 North: 5003.8819' East: 4137.1782'  
 Course: S0°05'44"W Length: 735.00'  
 North: 4268.8829' East: 4135.9530'  
 Course: S89°44'32"E Length: 263.35'  
 North: 4267.8981' East: 4399.5003'  
 Course: N0°05'44"E Length: 735.00'  
 North: 5002.8971' East: 4400.5261'

Perimeter: 1995.70' Area: 193561.53 Sq. Ft.  
 Error Closure: 0.0000 Course: N0°00'00"E  
 Error North: 0.000000 East: 0.000000

Precision 1: 1998700000.00

**TRACT B - ERROR OF CLOSURE**

North: 5003.8819' East: 4137.1782'  
 Course: S0°05'44"W Length: 735.00'  
 North: 4268.8830' East: 4135.9529'  
 Course: S89°44'32"E Length: 263.35'  
 North: 4267.8981' East: 4399.5002'  
 Course: S0°05'44"W Length: 769.07'  
 North: 3498.8282' East: 4398.0178'  
 Course: N89°47'29"W Length: 233.35'  
 North: 3499.4789' East: 4164.6892'  
 Course: N0°05'44"E Length: 669.27'  
 North: 4168.7479' East: 4165.7853'  
 Course: N89°44'32"W Length: 130.00'  
 North: 4169.3328' East: 4035.7877'  
 Course: N0°05'44"E Length: 835.00'  
 North: 5004.3318' East: 4037.1792'  
 Course: S89°44'32"E Length: 100.00'  
 North: 5003.8817' East: 4137.1782'

Perimeter: 3735.04' Area: 265984.89 Sq. Ft.  
 Error Closure: 0.0005 Course: S63°24'41"W  
 Error North: -0.00024 East: -0.00048

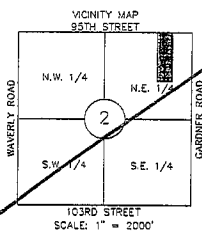
Precision 1: 7470080.00

**TRACT C - ERROR OF CLOSURE**

North: 5004.3318' East: 4037.1797'  
 Course: N89°44'32"W Length: 100.00'  
 North: 5004.7817' East: 3937.1807'  
 Course: S0°05'44"W Length: 1504.47'  
 North: 3500.6139' East: 3934.9711'  
 Course: S89°47'29"E Length: 230.00'  
 North: 3499.4764' East: 4164.6701'  
 Course: N0°05'44"E Length: 669.27'  
 North: 4168.7459' East: 4165.7853'  
 Course: N89°44'32"W Length: 130.00'  
 North: 4169.3304' East: 4035.7878'  
 Course: N0°05'44"E Length: 835.00'  
 North: 5004.3292' East: 4037.1802'

Perimeter: 3468.74' Area: 237454.48 Sq. Ft.  
 Error Closure: 0.0027 Course: S10°06'45"E  
 Error North: -0.00283 East: 0.00047

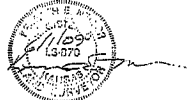
Precision 1: 1284716.52



**PROJECT LOCATION**  
 SECTION Section 2-13-22

Reviewed in accordance with  
 KSA 88-2001 to 2005  
 Deputy County Surveyor DATE 6/1/09

**CERTIFICATION:**  
 I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS IN ACCORDANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. AS OF DATE OF SURVEY: APRIL 27, 2008



BY: DATE 6/1/09

**PARENT TRACTS**

Beginning at a point 599.48 feet West of the Northeast corner of Section 2, Township 13, Range 22, in the City of DeSoto, Johnson County, Kansas; thence South 599.48 feet; thence West, 265.00 feet; thence North 592.00 feet; thence East, 265.00 feet to the point of beginning.

Also... Beginning at a point 599.48 feet West, and 562.00 feet South of the Northeast corner of the Northeast Quarter of Section 2, Township 13, Range 22, in the City of DeSoto, Johnson County, Kansas; thence South 562.00 feet; thence West, 265.00 feet; thence North 592.00 feet; thence East, 265.00 feet to the point of beginning.

Also... All that part of the North Half of the Northeast Quarter of Section 2, Township 13, Range 22, now in the City of DeSoto, Johnson County, Kansas, described as follows: Commencing at the Northeast corner of the Northeast Quarter of said Section 2; thence North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 982.83 feet, to the point of beginning; thence South 0 degrees 05 minutes 44 seconds West, a distance of 1504.39 feet, to a point on the South line of the North Half of the Northeast Quarter of said Section 2, said point being 952.22 feet West of the Southeast corner of the North Half of the Northeast Quarter of said Section 2; thence North 89 degrees 44 minutes 32 seconds West, along the South line of the North Half of the Northeast Quarter of said Section 2, a distance of 100.00 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 1504.39 feet, to a point on the North line of the Northeast Quarter of said Section 2, a distance of 100.00 feet, to the point of beginning, containing 3.45 acres more or less.

**TRACT A LEGAL DESCRIPTION**

All that part of the North Half of the Northeast Quarter of Section 2, Township 13, Range 22, now in the City of DeSoto, Johnson County, Kansas, described as follows: Commencing at the Northeast Corner of the Northeast Quarter of said Section 2; thence North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 982.83 feet to the Point of Beginning; thence continuing North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 263.35 feet; thence South 0 degrees 05 minutes 44 seconds West, a distance of 735.00 feet; thence North 89 degrees 44 minutes 32 seconds East, a distance of 263.35 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 735.00 feet to the Point of Beginning, containing 4.44 acres, more or less.

**TRACT B LEGAL DESCRIPTION**

All that part of the North Half of the Northeast Quarter of Section 2, Township 13, Range 22, now in the City of DeSoto, Johnson County, Kansas, described as follows: Commencing at the Northeast Corner of the Northeast Quarter of said Section 2; thence North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 982.83 feet to the Point of Beginning; thence South 0 degrees 05 minutes 44 seconds West, a distance of 735.00 feet; thence North 89 degrees 44 minutes 32 seconds East, a distance of 263.35 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 735.00 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 2; thence North 89 degrees 44 minutes 32 seconds West, along the South line of the North Half of the Northeast Quarter of said Section 2, a distance of 669.27 feet; thence North 0 degrees 05 minutes 44 seconds West, a distance of 669.27 feet; thence North 89 degrees 44 minutes 32 seconds West, along the South line of the North Half of the Northeast Quarter of said Section 2, a distance of 130.00 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 835.00 feet to a point on the North line of the Northeast Quarter of said Section 2; thence North 89 degrees 44 minutes 32 seconds East, a distance of 100.00 feet to the Point of Beginning, containing 6.11 acres, more or less.

**TRACT C LEGAL DESCRIPTION**

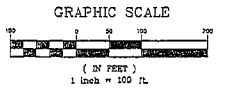
All that part of the North Half of the Northeast Quarter of Section 2, Township 13, Range 22, now in the City of DeSoto, Johnson County, Kansas, described as follows: Commencing at the Northeast Corner of the Northeast Quarter of said Section 2; thence North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 982.83 feet to the Point of Beginning; thence continuing North 89 degrees 44 minutes 32 seconds West, along the North line of the Northeast Quarter of said Section 2, a distance of 1504.47 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 2, thence South 0 degrees 05 minutes 44 seconds West, a distance of 230.00 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 669.27 feet; thence North 89 degrees 44 minutes 32 seconds West, a distance of 130.00 feet; thence North 0 degrees 05 minutes 44 seconds East, a distance of 835.00 feet to the Point of Beginning, containing 5.45 acres, more or less.

**BASES OF BEARINGS:**  
 DEED RECORDED IN BOOK 200807, PAGE 002162.

**SURVEY NOTES:**  
 NO TITLE INFORMATION WAS FURNISHED AS A PART OF THIS SURVEY.

**PREPARED FOR:**  
 MARY MARTINEZ  
 12823 RENE  
 OLATHE, KANSAS 66062  
 PHONE: (913) 449-0745

**PREPARED BY:**  
 ALLENBRAND - DREWS & ASSOCIATES, INC.  
 122 N. WATER STREET  
 OLATHE, KANSAS 66061  
 PHONE: (913) 784-1076  
 FAX: (913) 784-8635



- LEGEND**
- ▲ MONUMENT SET AS DESCRIBED
  - MONUMENT FOUND AS DESCRIBED
  - BAR FOUND AS DESCRIBED
  - ⊙ SET 1/2" x 24" REBAR & PLASTIC CAP KS CLS 93
  - ⊙ PK NAIL & SHINER FOUND
  - PK NAIL & SHINER SET

**SURVEY**

PT. OF NE 1/4  
 Section 2-13-22  
 JOHNSON COUNTY, KS

**CIVIL ENGINEERS**  
 LAND SURVEYORS - LAND PLANNERS

122 N. WATER STREET  
 OLATHE, KANSAS 66061  
 PHONE: (913) 784-1076 FAX: (913) 784-8635

Scale: 1"=100' Drawn By: MRC Project: 27073  
 Date: 4/27/09 Checked By: RML Section: 2-13-22

2-13-22 SURVEY



(6)

**Senate Federal & State Affairs Committee**  
**Additional Comment re: Substitute for SB 301**  
**Submitted by Thad Fowler, LS**  
**Kansas Society of Land Surveyor**  
**March 11, 2010**

Chairman Brungardt and members of the Committee:

Controversy is defined as a dispute where there is strong disagreement and compromise is defined as an accommodation in which both sides make concessions. Today you have two proposals before you. The one is a true compromise between the Kansas Association of Counties and the Kansas Society of Land Surveyors which began last May and was achieved in December. The other is one that has been unilaterally created by the Kansas Association of County Surveyors and completed on Friday past.

I will make my comments brief but try to address the KAC/KSLS proposed changes as they impact each of the statutes before this Committee.

KSA 58-2001: The KAC/KSLS compromise proposal eliminates the requirement for setting a monument in a concrete base for the boundaries of a subdivision plat. It also defines "subdivision" with a definition that is in harmony with the definition that is to be incorporated into the Kansas Minimum Standards for Boundary Surveys. The KACS proposal also defines "subdivision" but that definition diverges significantly from what will soon be in Kansas Administrative Regulations.

KSA 58-2002: The KAC/KSLS compromise proposal leaves this statute virtually unchanged. The KACS proposal amends the statute to apply equally to a subdivision boundary and the boundary of a tract of land. This would be acceptable to the KSLS and to the KAC.

KSA 58-2003: The KAC/KSLS compromise proposal and the KAC proposal are the same in that the amended version would not allow for the referencing of corners of the Public Land Survey System from triangulation stations or by use of the State Plane Coordinate System. These methods do not promote the recovery of the section corner monuments.

And now we reach the point where the controversy begins.

KSA 58-2004: The KAC/KSLS compromise proposal defines information that is required with the submittal of a subdivision plat. It emphasizes the requirements of KSA 58-2003 and KSA 58-2011 and requires closure calculations for the exterior boundary of a subdivision or acceptable equivalent electronic files. This simply brings this forty-three (43) year old statute up to date with today's technology.

The KACS proposal makes no differentiation between a subdivision plat and a plat of survey.

KSA 58-2005: The KAC/KSLS compromise proposal limits this review to subdivision plats while providing individual counties with a mechanism to both opt out of subdivision plat review and opt in to plat of survey review. It essentially provides each county with the home rule powers they rightfully should have; to assess the needs of their locality and to govern accordingly.

The KAC/KSLS compromise proposal retains the status quo parameters of the review to the requirements of this act.

The KAC proposal provides for the review of each and every survey that you wish, or are required, to have recorded as well as subdivision plats. This proposal advocates three (3) weeks to complete the review. If a second review is warranted, this proposal advocates an additional week to facilitate those efforts.

The KAC proposal also significantly expands the parameters of the review well beyond the current requirements of this act.

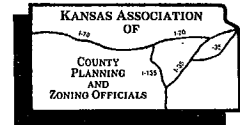
In closing, I'd like to emphasize that the KAC/KSLS compromise proposal has the endorsement of the Kansas Association of Counties, the Kansas Association of Realtors, the Kansas Land Title Association, and the Kansas Department of Transportation.

There are solid reasons for these endorsements. The cost of these reviews is an unwarranted burden on the consumer and the time delay in having a plat of survey recorded, at least one month as proposed by the KAC, may cause delays in real estate closings. In fact, it has. My practice is statewide. I perform work in all 105 Kansas counties. What has occurred is that surveys that are not required by law or the Minimum Standards to be recorded are simply not being recorded and that is one of the most significant travesties of the current circumstances. Consumers do not want to pay for a review if one is not required and no one wants harassment of the whole review process as it exists today. Not all counties have the same needs or concerns. The KAC/KSLS compromise proposal allows all counties to address their specific needs and act accordingly.

I ask that this Committee consider the fairness and transparency of the KAC/KSLS compromise proposal and speed it on its way to passage.

Respectfully,

Thad T Fowler, LS  
Kansas Society of Land Surveyors



# SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

Written Testimony on **SB 301**

Thursday, March 11, 2010

From the Legislative Committee of **Kansas Association of County Planning and Zoning Officials (KACPZO)**: David L. Yearout, AICP; Monty Wedel, AICP; Eloise Tichenor, CFM; Sam Seeley, CFM; Stacy Johnson, CFM; Linda M. Finger, AICP, CFM, RLA.

Honorable Pete Brungardt, Chairman, and Members of the Senate Federal and State Affairs Committee, thank you for the opportunity to appear before you today to address the proposed alternatives presented by KACS and KSLS to SB 301. My name is David Yearout. I am the Director of the Junction City/Geary County Planning and Zoning Department. I am also a member of the Kansas Association of County Planning and Zoning Officials (KACPZO), which is affiliated with the Kansas Association of Counties. I appear before you today on behalf of KACPZO.

SB 301 has been an attempt to modify the laws governing the requirements for the recording and review of surveys of land with the State of Kansas, a process that has been recognized since statehood as an important function of government in documenting and protecting the interests of landowners in the ownership of property. The initial attempt was to repeal these laws on the theory that the standards adopted by the Board of Technical Professions as an administrative rule is a more appropriate method of assuring the legal interests of property owners. We respectfully disagree with that premise.

KACPZO supports the retention of the statutes, but with modifications to recognize changes within the profession and to adjust to the practices of County governments in maintaining the obligation of protecting landowners within our respective borders. Two proposals have been presented from groups representing surveyors within the State. Our interest is in retaining the review requirements and minimizing the potential of conflicting information being recorded that clouds property records and increases the burden of management of those records to counties.

There are two alternative proposals to SB 301, as drafted, that are before you today. While on the face they appear similar; in reality only one supports the objectives of our organization. The version the Kansas Association of County Planning and Zoning Officials (KACPZO) supports the Kansas Association of County Surveyors (KACS) version. We support this version of the bill for the following four reasons:

1. The proposal requires monuments to be set in a concrete base making the monuments a more permanent representation of the ownership boundaries of a survey [re: sec. 58-2001].
2. The proposal provides concise information on who reviews surveys and what the parameters are for reviewing surveys [re: sec. 58-2004]
3. The proposal establishes the appropriate local departments for recording of a survey or subdivision plat and a maximum threshold for what can be charged for a review fee. [re: sec. 58-2005]
4. The proposal provides procedural information for reviewing surveys and what a reviewer is to follow; plus does not delegate that public responsibility to a private interest except by action of the governing body. [re: sec. 58-2005]

No doubt, given additional time and the willing cooperation of all organizations involved, it may be possible to produce a compromise version of the KSLs and KACS proposals that could be presented and supported by all. However, time and willingness of the parties involved does not seem to provide this option.

The KACPZO governing platform is based on the premise that decisions affecting local land use and development issues should be made at the local level. KACPZO supports the KACS version of the bill and we respectfully ask the Federal and State Affairs Committee to endorse this option.

Thank you for your time and the opportunity to present testimony on this important land use matter.



**KANSAS**  
ASSOCIATION OF  
**COUNTIES**

March 11, 2010

Dear Chairman Brungardt and Members of the Senate Federal and State Affairs Committee:

The Kansas Association of Counties opposed SB 301 at its hearing because the bill repealed several statutes relating to land surveys. We felt those statutes were important to prevent errors on real property records. Mistakes affecting real property interests have an ongoing effect as they pass down with every transaction. We argued that the public must be able to rely upon the integrity of public real property records. We wanted to keep the laws, but update them to meet modern-day practices.

Since the hearing, the Kansas Society of Land Surveyors has created a proposal that meets the KAC platform position on this issue: it no longer repeals the laws, but updates them instead, and continues the review requirement. Another organization, the Kansas Association of County Surveyors, has also created a proposal to amend these laws. This too meets our platform. Both proposals meet the KAC legislative platform although KACS's version appears to require a more detailed review.

The KAC would be comfortable with either proposal, and therefore we will leave it to these organizations to articulate their differences, and will leave the policy decisions in the hands of this committee.

I appreciate your patience in continuing to review these issues.

Sincerely,

Melissa A. Wangemann  
General Counsel

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Sn Fed & State  
Attachment 8

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