

ARTICLE V

DOCUMENTATION REQUIRED FOR PRELIMINARY AND FINAL PLATS

SECTION 1. PRELIMINARY PLAT:

1. *General Information.* The preliminary plat shall be prepared by a registered land surveyor, licensed engineer, or registered landscape architect drawn to a scale of not more than one hundred (100) feet to an inch on a sheet with dimensions of twenty-four (24) by thirty-six (36) inches. Sheets shall be numbered in sequence if more than one (1) sheet is used. The plat shall contain the following:
 - a. Name:
 - (1) Name of subdivision if property is within an existing subdivision.
 - (2) Proposed name if property is not within a previously platted subdivision. This name shall not be so similar to any existing subdivision name as to cause confusion.
 - b. Ownership:
 - (1) Name, address, and telephone number of legal owner or agent of property and citation of last instrument conveying title to each parcel or property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.
 - (2) Citation of any existing legal rights-of-way or easements affecting the property.
 - (3) Existing covenants on the property, if any.
 - (4) Name, address, and telephone number of the professional person responsible for surveys, subdivision design, and for the design of public improvements.
 - c. Description: Location of property by government lot, section, township, range and county, north arrow, graphic scale, written scale, and date of preparation.
2. *Existing Conditions.*
 - a. Location of property lines and names of all adjoining property owners from the latest assessment rolls. The location of existing easements, burial grounds, railroad rights-of-way, watercourses, and wooded areas.
 - b. Location, width, and names of all existing or platted streets or other public ways within or immediately adjacent to the tract and the location and width of proposed streets.

- c. Location and sizes of existing sewers, water mains, culverts, wells, septic tanks, and other underground structures within the tract and immediately adjacent thereto; existing permanent buildings and utility poles on or immediately adjacent to the site and utility rights-of-way.
- d. If other than public systems are proposed, preliminary proposals for alternative means of providing water supply and sanitary waste treatment and disposal; preliminary provisions for collecting and discharging surface water drainage.
- e. A vicinity map showing streets and other general development of the surrounding area.
- f. The location of pertinent features such as swamps, parks, bridges, and towers.
- g. Whenever the plat covers only a part of an applicant's contiguous holdings, the applicant shall submit, at a scale of not more than two hundred (200) feet to the inch, a sketch of the proposed subdivision area, together with its proposed street system and an indication of the probable future street and drainage system of the remaining portion of the tract.
- h. The location, bearings, and dimensions of all boundary lines of the property to be expressed to the nearest foot; this boundary survey shall be prepared by a registered land surveyor.
- i. Contour lines or spot elevations based on Mean Sea Level (MSL) or other datum approved by the Planning Commission having the following minimum intervals:
 - (1) Two (2) foot contour intervals for ground slopes less than ten (10) percent.
 - (2) Five (5) foot contour intervals for ground slopes exceeding ten (10) percent.
 - (3) Spot elevations where the ground is too flat for contours.
- j. The date of the topographic survey(s) shall be shown including the location, elevation, and description of the bench mark controlling the vertical survey and the location of existing monuments and survey markers.
- k. The locations and dimensions of all proposed or existing lots expressed to the nearest foot.
- l. The locations and dimensions of all property proposed to be set aside for park and playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
- m. The date of the plat, approximate north point, graphic and written scale, and sufficient data acceptable to the city engineer to determine readily the location, bearing, and length of all lines, and to reproduce such lines on the ground; the location of all proposed monuments.

- n. Names of all new streets.
- o. Front yard setback lines for all lots and portions of lots as required by the zoning regulations.
- p. Blocks shall be consecutively numbered. All lots in each block shall be consecutively numbered.
- q. A statement of the use of all lots as proposed by the applicant.
- r. Explanation of drainage easements, site easements, and reservations, if any.
- s. A statement as to the general nature and type of improvements proposed for the subdivision, and in what manner the subdivider intends to finance and provide for their installation, e.g., petition, actual construction, monetary guarantee, etc.
- t. The lack of information under any specified item herein, or improper information supplied by the applicant, shall be cause for disapproval of a preliminary plat.

SECTION 2. FINAL PLAT:

- 1. The final plat shall be submitted in the form of an original drawing in waterproof ink on mylar or other polyester drafting film drawn to a scale no smaller than one (1) inch to one hundred (100) feet on a twenty-four (24) by thirty-six (36) inch sheet. The final subdivision plat shall be prepared by a registered land surveyor. It is desirable that the drawing of the final plat appear on a single sheet. When this is impossible, a small scale key map shall appear on the first sheet showing the entire area platted and the sheet on which each platted area appears. All revision dates must be shown as well as the following:
 - a. Name of the subdivision.
 - b. Vicinity map showing the location of the subdivision relative to adjacent subdivisions, tracts, and other area development.
 - c. A legal description prepared by a registered land surveyor of the tract being subdivided.
 - d. The perimeter boundary lines of the subdivision showing all property corners, land lines, distances, bearings and angles, and other references used in the legal description of the tract. The boundary of the platted areas should be accurately indicated by a heavy solid line.
 - e. All lot lines, right-of-way lines, streets, and easements shall be shown with their dimensions to the nearest one hundredth (0.01) of a foot and in actual respective location.

- f. All easements shall be denoted by fine dashed lines, clearly identified, and if already on record, the recorded reference of such easements. If an easement is not definitely located on record, a statement of such easement shall be included. The width of the easement with sufficient ties to locate it definitely with respect to the subdivision must be shown. If the easement is being dedicated through the plat map, it shall be properly referenced in the owner's certificate of dedication and identification.
 - g. Block numbers or letters continuing consecutively without omission or duplication throughout the subdivision. Such identification shall be solid, of sufficient size and thickness to stand out, and so placed as not to obliterate any figure.
 - h. Lot numbers beginning with the number one and numbered consecutively in each block.
 - i. Minimum front yard building setback lines as established by applicable zoning or other regulations or more restrictive setbacks if desired by the subdivider.
 - j. The width of the portion of the streets being dedicated and the width of any existing right-of-way.
 - k. The name of each street shown on the subdivision plat.
 - l. Land parcels to be dedicated for any purpose, public or private, to be distinguished from lots or tracts intended for sale.
 - m. Protective covenants, if any, shall be lettered on the final plat or submitted on a separate sheet with appropriate references made on the final plat and signed by the subdivider and/or owner.
 - n. Any restrictions in addition to the protective covenants shall be lettered on the plat.
 - o. The flood fringe and floodway, of any floodplain, shall be identified on the plat.
 - p. North point, graphic scale, written scale, and date of preparation.
 - q. Sufficient information shall be shown on the plat to allow an experienced surveyor to locate or relocate all points and lines shown on the plat, including all pertinent curve data. The error of closure of the boundaries of any enclosed area within the plat shall not exceed one (1) foot in three thousand (3,000) feet.
2. Prior to filing the final plat with the Register of Deeds, all boundary, block, and lot corners shall be marked by iron monuments no smaller than three-quarters (3/4) inch in diameter and three (3) feet in length, driven into the ground flush with the existing ground surface. Subdivision boundary corners shall be monumented with an iron bar no smaller than three-quarters (3/4) inch in diameter and thirty (30) inches in length, set rigidly in concrete.
 3. The following certificates, duly signed as appropriate, shall appear on the final plat upon its submittal:

SURVEYOR'S CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF DOWNS)

I, the undersigned, do hereby certify that I am a registered land surveyor in the State of Kansas, with experience and proficiency in land surveying; that the heretofore described property was surveyed and subdivided by me, or under my supervision; that all Subdivision Regulations of the City of Downs, Kansas, have been complied with in the preparation of this plat; and that all of the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal at _____,
Kansas, this ____ day of _____, A.D.
20__.

OWNER'S CERTIFICATION AND DEDICATION

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

This is to certify that the undersigned owner(s) of the land described in the Survey Certificate; have caused the same to be surveyed and subdivided on the accompanying plat into lots, blocks, streets, and other public ways under the name of _____; that all highways, streets, alleys, easements and public grounds as denoted on the plat are hereby dedicated to and for the use of the public for the purpose of constructing, operating, maintaining, and repairing public improvements; and further that the land contained herein is held and shall be conveyed subject to any restrictions, reservations, and covenants on file or hereafter filed in the Office of the Register of Deeds of Downs County, Kansas.

Date Signed: _____ Date Signed: _____

_____, Owner _____, Owner

PROTECTIVE COVENANTS

Purchase and subsequent improvement of lots within the Subdivision shall be subject to the provisions of "Protective Covenants of the Subdivision" submitted separately herewith.

Date Signed: _____ Date Signed: _____
_____, Owner _____, Owner

ABTRACTOR CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

I, the undersigned, being a duly licensed and bonded abstractor or an authorized representative thereof, hereby certify that the above is the legal owner(s) of the property shown on this plat.

Dated this ____ day of _____, A.D. 20 ____.

NOTARY CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

The foregoing instrument was acknowledged before me this ____ day of _____, 20 ____, by _____.

_____, Notary Public

(SEAL)
My appointment expires: _____

PLANNING COMMISSION CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

This plat was approved by the Downs City Planning Commission on this ____ day of _____, 20 ____, and was recommended for approval by the City Council of Downs, Kansas.

Date Signed: _____

Chairman

ATTEST:

Secretary

CITY COUNCIL'S CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

This plat approved and all dedications shown on this plat, if any, are hereby accepted by the City Council, City of Downs, Kansas, this _____ day of _____, 20__.

Mayor

(SEAL)

ATTEST:

City Clerk

**COUNTY CLERK AND CITY CLERK
CERTIFICATE**

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

I do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in this plat.

I further certify that I have received all statutory fees in connection with the plat.

Given under my hand and seal at _____, Kansas, this ____ day of _____, A.D. 20__.

County Clerk

City Clerk

CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

I do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have not been apportioned against the tract of land included in this plat.

Given under my hand and seal this ____ day of _____, A.D. 20__.

County Clerk

City Clerk

CERTIFICATE OF THE CITY ATTORNEY

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

Approved this ____ day of _____, A.D. 20__.

City attorney for the city of Downs, Kansas

CITY ATTORNEY

TRANSFER RECORD

Entered on transfer record this ____ day of _____, 20 ____.

REGISTER OF DEEDS

REGISTER OF DEEDS CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF OSBORNE)

This is to certify that this instrument was filed for record in the Register of Deeds Office,
at _____ a.m./ p.m., on the ____ day of _____, 20 ____.

(SEAL)

Register of Deeds

- 4. The final plat shall also contain all other certifications, approvals and acceptances which are now, or which may hereafter be, required by any statute or regulation. The form of these certifications may be modified as necessary by the City’s legal counsel to meet statutory or other requirements.
- 5. The following additional information shall be submitted with the final plat:
 - a. A copy of any restrictive covenants applicable to the subdivision.
 - b. A title report by an abstract or a title insurance company, or an attorney’s opinion of title, showing the name of the owner of the land and all other persons who have an interest in, or an encumbrance on the plat. The consent of all such persons shall be shown on the plat.
- 6. It shall be the responsibility of the subdivider to file the plat with the County Register of Deeds’ office within sixty (60) days of the date of signature. If the plat is not recorded within sixty (60) days, the Planning Commission may rescind their approval of the plat.