

## ARTICLE 5. CONTENTS OF PRELIMINARY AND FINAL PLATS

**100** **Contents of Preliminary Plat.** The preliminary plat shall be drawn at a scale of not less than one inch equals 100 feet; however, areas over 100 acres may be at a scale of one inch equals 200 feet.

A. **General Information.** The following general information shall be shown on the preliminary plat:

1. Proposed name of the subdivision not duplicating or resembling the name of any plat heretofore recorded within the area of jurisdiction of these regulations. The use of the word "Addition" should be used for a plat which has just been or is in the process of being annexed and not for the subdivision of land already in the City.
2. Date of preparation, north point and scale of drawing.
3. An identification clearly stating that the drawing is a preliminary plat.
4. Location of the subdivision by quarter-section, section, township and range and by measured distances to a section corner to further define the location and boundary of the tract.
5. Names of adjacent subdivisions or, in the case of unplatted land, the name of the owner or owners of adjacent property.
6. The name and address of the landowner, the subdivider and the name and seal of the land planner who prepared the plat and surveyor who did the topographic survey.

B. **Existing Conditions.** The following existing conditions shall be shown on the preliminary plat:

1. The location, right of way, width and names of all existing public or private streets within or adjacent to the tract, together with easements, railroad rights of way and other important features such as section lines and corners, city and township boundary lines and monuments.
2. The horizontal location within the subdivision and the adjoining streets and property of existing sanitary and storm water sewers including flow lines, water mains, culverts, catch basins, manholes, fire hydrants, underground wiring, pipe lines and gas lines proposed to serve the subdivision.
3. Contour lines or spot elevations based on U.S. Geological Survey datum having the following intervals:
  - a. Two-foot contour intervals for ground slopes less than 10%.
  - b. Five-foot contour intervals for ground slopes exceeding 10%.
  - c. Spot elevations where the ground is too flat for contours.

The date of the topographic survey shall be shown including the location, elevation and description of the bench mark controlling the vertical survey.

4. Locations of existing monuments or survey markers used in preparation of the survey.
  5. The location and direction of all watercourses and areas subject to flooding as determined by Section 6-104.
  6. Significant natural features including, but not limited to rock out croppings, wetlands, lakes and wooded areas.
  7. Existing use of the property including the location of all existing structures showing those that will be removed and those that will remain on the property after the final plat is recorded.
  8. Boundary line of proposed subdivision clearly indicated and total acreage therein.
  9. Zoning district classifications on and adjacent to the tract, if any.
- C. Proposed Subdivision Plat. The following information with respect to the manner in which the tract is to be subdivided and developed shall be included on the preliminary plat:
1. Streets showing the location, right of way, width, names and approximate grades thereof. The preliminary plat shall show the relationship of all streets to any projected streets shown or to any related Comprehensive Plan proposal or, if none proposed, then as determined by the Planning Commission.
  2. Street names which do not duplicate any heretofore used in the City or its environs, unless the street is an extension of or in line with an already named street, in which event that name shall be used. Appropriate prefixes and suffixes which provide relative direction and type of street should accompany such names. Street names shall be subject to the approval of the Planning Commission and follow the applicable City's or County's Street Naming and Property Numbering Policy, if adopted. Property numbers are assigned by the City or County depending upon the agreed upon jurisdictional policy.
  3. Easements showing width and purpose such as for utilities, drainage, screening, open space, pedestrian ways and alleys.
  4. Location and type of utilities to be installed.
  5. Lots showing approximate dimensions, minimum lot sizes and proposed lot numbers and block letters or numbers.

6. Sites, if any, to be allocated for development with other than single-family dwellings or to be dedicated or reserved for park, recreation area, open space or other public or private purposes. (See Section 2-102 for definition of RESERVE.)
  7. Proposed building setback lines, if any, but not less than applicable zoning regulations. The setback should be measured from the existing or proposed street right of way, whichever is a greater distance.
- D. Additional Data and Information to be Submitted with the Preliminary Plat. The following information shall be submitted in separate statements and/or drawings accompanying the preliminary plat, or, if practical, such information may be shown on the preliminary plat:
1. A vicinity map showing existing subdivisions, streets and unsubdivided tracts adjacent to the proposed subdivision and showing the manner in which the proposed streets may be extended to connect with existing streets.
  2. A statement as to the nature and type of improvements proposed for the subdivision, and in what manner the subdivider intends to finance and guarantee their installation, e.g., petition, actual construction, monetary guarantee, etc. (See Section 7-103 for guarantees for installation of improvements.)
  3. When deemed necessary by the Subdivision Administrator, a preliminary drainage plan based on standards and policies of the applicable jurisdiction.

**101 Contents of Final Plat.** The final plat shall be prepared by a licensed land surveyor in a computer aided drafting (CAD) program or drawn in waterproof black ink on Mylar or its equivalent. Alternatively, a final plat may be prepared with a photographic process provided it is submitted on .004 inch polyester photographic film such as Mylar or its equivalent. The permitted page sizes shall be 25 inches by 37 inches or 18 inches by 24 inches or smaller. Larger sizes will not be accepted. The scale shall be not less than 100 feet to one inch except that a variation in scale may be allowed where the Planning Commission determines it is necessary for a proper exhibit of the subdivision. When more than one sheet is used for any plat, each such sheet shall be numbered consecutively and each such sheet shall contain a notation showing the whole number of sheets in the plat and its relation to other sheets (e.g., Sheet 1 of 3). Linear dimensions shall be given in feet and decimals of a foot. The final plat shall show on the face thereof:

- A. The name of the subdivision followed by a reference to its location by quarter-section, section, township and range.
- B. The date of preparation, scale, north point, legend and controlling physical features, such as highways, railroads, watercourses and areas subject to flooding as determined by Section 6-104.
- C. Legal description of the tract boundaries. (See Section 5-101 Q 1 for land surveyor's certificate and description.)

- D. Reference ties to previous surveys and plats, as follows: (See Section 7-102J for monuments as required improvements.)
1. Distance and direction to the monuments used to locate the land described in the certificate of survey.
  2. The location of all other monuments required to be installed by these regulations.
- E. Location and elevation of permanent bench mark.
- F. Tract boundary, block boundary, street and other right of way lines with distances and angles (and/or bearings). Where these lines follow a curve (all curves must be circular), the central angle, the radius, points of curvature, length of curve and length of intermediate tangents shall be shown. Error of closure of the perimeter survey shall not exceed one foot for each 10,000 feet.
- G. Lot lines with dimensions. Side lot lines shall be at right angles or radial to street lines unless otherwise shown. Rear lot lines shall be parallel to block or tract lines unless otherwise indicated. Points of deflection of rear lot lines shall be indicated by angles and distances.
- H. Lot numbers beginning with number one and numbered consecutively in each block.
- I. Block letters or numbers 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.
- J. 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 of 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 and its purpose such as for utilities, drainage, screening, open space, pedestrian ways or alleys. If the easement is being dedicated through the plat, it shall be properly referenced in the owner's certificate and dedication.
- K. The width of street rights of way and any portion thereof being dedicated by the plat as well as the width of any existing right of way and the centerline of any adjacent perimeter streets.
- L. The name of each street shown on the subdivision plat including appropriate prefixes and suffixes.
- M. Minimum building setback lines, if any, but not less than applicable zoning regulations. The setback should be measured from the existing or proposed street right of way, whichever is a greater distance.
- N. Land parcels to be dedicated or reserved for any purpose, public or private, to be distinguished from lots or tracts intended for sale. (See Section 2-102 for definition of RESERVE.)
- O. When deemed desirable, the minimum pad elevation of each lot or parcel of land based on the design criteria of Section 6-104 so that each pad is elevated at least one foot above the base flood elevation. (See Section 2-102 for definition of MINIMUM PAD ELEVATION.)

- P. Marginal lines encircling the sheet. All information shall be within this margin.
- Q. The following certificates, which may be combined where appropriate: (Certificates requiring a seal should be located near the edge of the plat to facilitate affixing the seal. All names on the plat must also be typed or clearly printed under the signature.)
1. A certificate signed by a licensed land surveyor responsible for the survey and final plat. The surveyor shall not sign the plat until all monuments, irons or bench marks have been set as required by these regulations. Such signature shall be accompanied by the legal description of the land surveyed, the total acreage, the month and year such survey was made and the surveyor's seal. This certificate may be in the following form:

**LAND SURVEYOR'S CERTIFICATE AND DESCRIPTION**

I, the undersigned, licensed land surveyor of the State of Kansas, do hereby certify that the following described tract of land was surveyed on \_\_\_\_\_, 20\_\_ and the accompanying final plat prepared and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief:

(Legal description, date of survey and acreage. If applicable, reference may be made to indicate that existing public easements and dedications are being vacated according to provisions of K.S.A. 12-512b. [See Section 10-101A1 for provisions of K.S.A. 12-512b.]

Date \_\_\_\_\_, 20\_\_.

(S E A L)

\_\_\_\_\_  
(Land Surveyor's name and license number)

2. According to K.S.A. 58-2005, all plats are to be reviewed by the designated County Surveyor who must be a licensed land surveyor to determine compliance with the survey requirements of K.S.A. 58-2001, et seq. before the plat can be recorded. The following certificate may be amended from time to time to meet the policy of the County:

**COUNTY SURVEYOR'S CERTIFICATE**

STATE OF KANSAS            )  
  ) ss  
COUNTY OF COFFEY        )

This plat has been reviewed and complies with the survey requirements of K.S.A. 58-2001, et seq.

Signed \_\_\_\_\_, 20\_\_.

(S E A L)

\_\_\_\_\_  
(Land Surveyor's name and license number)

- Certificates signed and acknowledged by all parties having any record or possessory right, title or interest in the land subdivided including mortgagees consenting to the preparation and recording of the subdivision plat; and dedicating all tracts of land shown on the final plat which are intended for public use as highways, streets, alleys, easements and public sites. These certificates may be in the following form:

**OWNER'S CERTIFICATE AND DEDICATION**

STATE OF KANSAS            )  
   ) ss  
 COUNTY OF COFFEY        )

This is to certify that the undersigned owner(s) of the land described in the Land Surveyor's 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 \_\_\_\_\_; (located in) (an addition to) (located outside of) the City of Burlington, Coffey County, Kansas; that all highways, streets, alleys, easements and public sites 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 applicable restrictions, reservations and covenants now on file or hereafter filed in the Office of the Register of Deeds of Coffey County, Kansas.

Date Signed: \_\_\_\_\_

Date Signed: \_\_\_\_\_

\_\_\_\_\_, Owner  
 (Print Name)

\_\_\_\_\_, Owner  
 (Print Name)

**MORTGAGE HOLDER**

We, (Name of institution and location), by (Name and title of officer), holders of a mortgage on the above described property do hereby consent to the plat of (Name of plat), City of Burlington, Coffey County, Kansas.

(Name of institution and location)

\_\_\_\_\_  
 (Name and title)

4. The acknowledgment of a notary for each of the Owner's Certificate and Dedication and Mortgage Holder in the following form for an individual capacity or modified if a representative capacity:

**NOTARY CERTIFICATE**

STATE OF KANSAS            )  
  ) ss  
COUNTY OF COFFEY        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ , by  
\_\_\_\_\_ (Name of Person[s])

(SEAL)

\_\_\_\_\_, Notary Public  
(Print Name)

My appointment expires: \_\_\_\_\_

5. The certificate of the Planning Commission in the following form:

**PLANNING COMMISSION CERTIFICATE**

STATE OF KANSAS            )  
  ) ss  
CITY OF BURLINGTON        )

This plat was approved by the Burlington City Planning Commission on \_\_\_\_\_, 20\_\_.

Signed \_\_\_\_\_, 20\_\_.

\_\_\_\_\_, Chairperson  
(Print Name)

**ATTEST:**

\_\_\_\_\_, Secretary  
(Print Name)

6. If the plat is an addition to the City, i.e., an annexation, a certificate signed by the City Attorney indicating that all conditions of K.S.A. 12-401 have been met: (See Section 5-100A1 for use of the word "Addition.")

**CITY ATTORNEY'S CERTIFICATE**

STATE OF KANSAS        )  
                                  ) ss  
CITY OF BURLINGTON    )

This plat is approved pursuant to the provisions of K.S.A. 12-401.

Date Signed : \_\_\_\_\_, 20\_\_.

\_\_\_\_\_, City Attorney  
(Print Name)

7. The acceptance of dedications by the Governing Body in the following form:

**GOVERNING BODY CERTIFICATE**

STATE OF KANSAS        )  
                                  ) ss  
CITY OF BURLINGTON    )

The dedications shown on this plat, if any, are hereby accepted by the Governing Body of the City of Burlington, Kansas on \_\_\_\_\_, 20\_\_.

(SEAL)

\_\_\_\_\_, Mayor  
(Print Name)

**ATTEST:**

\_\_\_\_\_, City Clerk  
(Print Name)



8. The acceptance of dedications by the Board of County Commissioners for plats **outside the City only** in the following form:

**COUNTY COMMISSIONERS' CERTIFICATE**

STATE OF KANSAS            )  
  ) ss  
COUNTY OF COFFEY        )

The dedications shown on this plat, if any, are hereby accepted by the Board of County Commissioners, Coffey County, Kansas, on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_, Chairman  
(Print Name)  
(Provide signature space for all commissioners.)

(SEAL)

**ATTEST:**

\_\_\_\_\_, County Clerk  
(Print Name)

9. A certificate in the following form stating that all taxes and special assessments due and payable to the County Treasurer have been satisfied as required by K.S.A. 19-1207(b)

**COUNTY TREASURER'S CERTIFICATE**

STATE OF KANSAS            )  
  ) ss  
COUNTY OF COFFEY        )

This is to certify that all current and previous years taxes and any special assessments have been paid on the land being platted.

Date Signed: \_\_\_\_\_

\_\_\_\_\_, Treasurer  
(Print Name)

By \_\_\_\_\_, Deputy  
(Print Name)



12. Provision for all other certifications, approvals and acceptances which are now, or which may hereafter be, required by any statute, ordinance or regulation. The form of these certifications may be modified as necessary by the City's legal counsel to meet statutory or other requirements.

R. The following additional information shall be submitted with the final plat:

1. A title report by an abstract or a title insurance company, or an attorney's opinion of title, showing the owner of the land and all other persons who have an interest therein and describing any encumbrances on the plat, including such items as rights of way, easements, pipelines, leases, mineral rights, mortgages, real estate taxes, special assessments and other encumbrances affecting the ownership. (See Section 5-101 Q 9 on payment of real estate taxes and special assessments before recording.)
2. When deemed necessary by the Subdivision Administrator, a final drainage plan based on the standards and policies set by the applicable jurisdiction as determined by the designated Engineer including a four-corner grading plan for each lot plus minimum pad elevations if located in a flood prone area. The plat shall also clearly note that a drainage plan has been developed for the subdivision which is on file with the City Subdivision Administrator and that all drainage easements, rights of way or reserves shall remain at the established grades or as modified with the approval of the applicable Engineer and unobstructed to allow for the conveyance of storm water.
3. A copy, if any, of restrictive covenants applicable to the subdivision. As a service to the subdivider, such restrictions may be reviewed by the Planning Commission and other officials to determine if any potential conflicts exist with the City's laws. If the condition exists for outside the City utility service as described in Section 5-101 Q 10, then restrictive covenants must be submitted for review of the annexation waiver provisions.