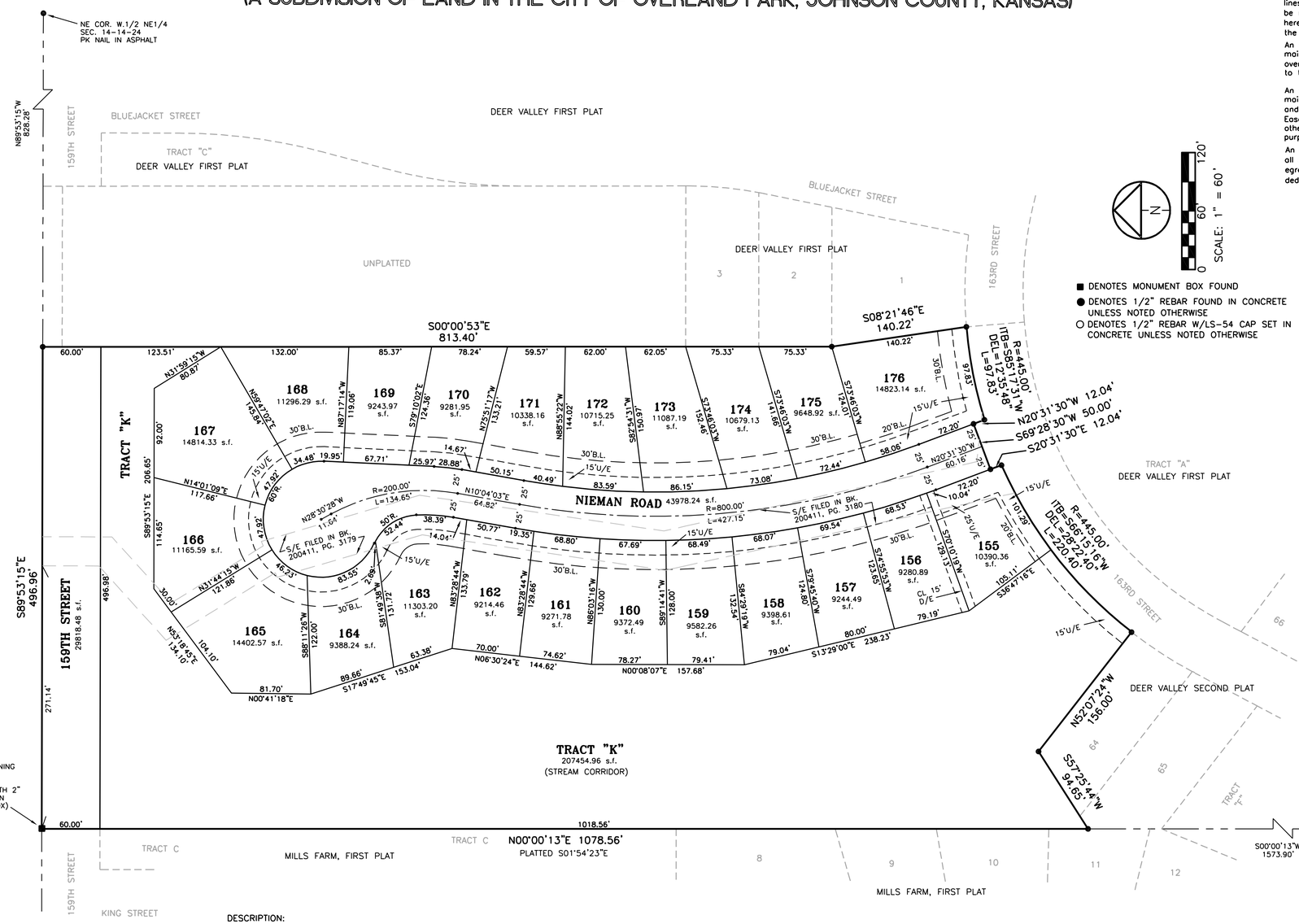
FINAL PLAT OF
DEER VALLEY FIFTH PLAT
(LOTS 155 THRU 176 AND TRACT "K")
(A SUBDIVISION OF LAND IN THE CITY OF OVERLAND PARK, JOHNSON COUNTY, KANSAS)



DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat which hereafter shall be known as "DEER VALLEY FIFTH PLAT"

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plats as streets, terraces, places, roads, drives, lanes, parkways, avenues, and alleys, not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby absolves and agrees to indemnify the City of Overland Park, Kansas, from any expense incident to the relocation of any such existing utility installation within said prior easement.

An easement of license to enter upon, located, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Overland Park, Kansas.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Overland Park, Kansas, with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes.

An easement or license to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat is dedicated to the Johnson County Unified Wastewater Districts or their assigns.

RESTRICTIONS

The use of all Lots and Tracts of land in this subdivision shall hereafter be subject to the covenants and restrictions which will be filed at the Register of Deeds Office, Johnson County, Kansas and shall hereby become a part of the dedication of this plat as though fully set hereon.

Tract "K" shall be owned and maintained by the Homes Association or their authorized representative thereof. Said Tracts are reserved as common area and or open space for the use, benefit and enjoyment of the owners of the property within the subdivision.

All landscaping and related materials that are planted or constructed within the island areas and located within street right-of-way shall be maintained by the Homes Association and the Developer, or their authorized representatives thereof.

CONSENT TO LEVY:

The undersigned proprietor of the above described tract of land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas, and the City of Overland Park, 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, and that the amount of unpaid special assessments on such land dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on said dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, DEER VALLEY DEVELOPMENT, L.L.C., a Limited Liability Corporation, has caused this instrument to be executed by Clay Blair III, Member of Deer Valley Development, L.L.C., on this ___ day of _____, 2007.

Deer Valley Development, L.L.C.

_____
Clay Blair III, Member

ACKNOWLEDGMENT

STATE OF KANSAS)
)ss.
COUNTY JOHNSON)

BE IT REMEMBERED, That on this ____ day of _____, 2007 before me, the undersigned, a Notary Public in and for said County and State, came Clay Blair III, Member of Deer Valley Development, L.L.C., a Limited Liability Corporation, organized under the laws of the State of Kansas, with its principal place of business in the County of Johnson, State of Kansas, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and such persons 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 official seal the day and year last above written.

Notary Public: _____

My Appointment expires_____

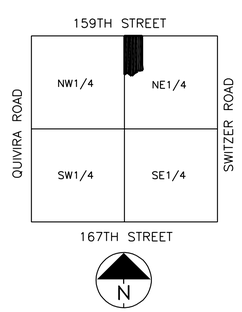
APPROVALS

APPROVED by the Planning Commission of the City of Overland Park, Johnson County, Kansas, this ____ day of _____, 2007.

_____
Chairperson, David M. Hill Date

APPROVED by the Governing Body of the City of Overland Park, Johnson County, Kansas, this ___ day of _____, 2007.

_____ _____
Mayor, Carl R. Gerlach City Clerk. Marion Cook



LOCATION MAP
SECTION 14-14-24

COGO # 05-162-492

DESCRIPTION:

A tract of land lying in the Northeast One-Quarter of Section 14, Township 14 South, Range 24 East, in the City of Overland Park, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northwest corner of the Northeast One-Quarter of said Section 14; thence South 89 degrees 53 minutes 15 seconds East, along the North Line of the said Northeast One-Quarter, a distance of 496.96 feet to a point; thence South 00 degrees 00 minutes 53 seconds East, along the West Line of Deer Valley First Plat and its Northerly extension thereof, a distance of 813.40 feet to a point; thence South 08 degrees 21 minutes 46 seconds East, along the West Line of said Deer Valley First Plat, a distance of 140.22 feet to a point on the Northerly right-of-way line of 163rd Street as platted in Deer Valley Second Plat; thence Southwesterly, along the said Northerly right-of-way line and along a curve to the left, having a radius of 445.00 feet, an initial tangent bearing of South 85 degrees 17 minutes 31 seconds West, a central angle of 12 degrees 35 minutes 48 seconds, and an arc length of 97.83 feet to a point; thence North 20 degrees 31 minutes 30 seconds West, continuing along the said Northerly right-of-way line, a distance of 12.04 feet to a point; thence South 69 degrees 28 minutes 30 seconds West, continuing along the said Northerly right-of-way line, a distance of 50.00 feet to a point; thence South 20 degrees 31 minutes 30 seconds East, continuing along the said Northerly right-of-way line, a distance of 12.04 feet to a point; thence Southwesterly, continuing along the said Northerly right-of-way line and along a curve to the left, having a radius of 445.00 feet, an initial tangent bearing of South 66 degrees 15 minutes 16 seconds West, a central angle of 28 degrees 22 minutes 40 seconds and an arc length of 220.40 feet to a point; thence North 52 degrees 07 minutes 24 seconds West along the Northerly plat line of Deer Valley Second Plat, a distance of 156.00 feet to a point; thence South 57 degrees 25 minutes 44 seconds West, along the said Northerly plat line, a distance of 94.65 feet to a point on the West line of the said Northeast One-Quarter of Section 14; thence North 00 degrees 00 minutes 13 seconds East, along the said West line and along the East line of Mills Farm, First Plat, (platted South 01 degree 54 minutes 23 seconds East), a distance of 1078.56 feet to the Point of Beginning, and containing 11.8272 acres, more or less.

*STREAM CORRIDOR

NOTICE: "A protected Stream Corridor lies on this site, as defined and regulated in the City of Overland Park, Kansas Muncipal Code. Restrictions on the use or alteration of the Stream Corridor apply. This property is also subject to the obligations and requirements of the Stream Corridor Maintenance Agreement Approved by the City."

RESERVATION: The area as designated on this plat is reserved as a "Stream Corridor" for the purpose of open space, natural preservation areas, and management of riparian resources and will be solely maintained by the Property Owner. These areas will also be used for private open space unless later dedicated as Public Parkland.

BASIS OF BEARINGS IS THE RECORDED PLAT OF DEER VALLEY SECOND PLAT.

THE UNADJUSTED ERROR OF CLOSURE FOR THE TRAVERSE THAT ESTABLISHED THIS PLAT IS APPROXIMATELY 1:50,000.

DATE OF PREPARATION IS 4-09-2007.

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED ON 7-16-03 AND UPDATED 4-10-07 AND THE DETAILS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Gary H. Loumaster, Ks. L.S. # 976

PREPARED FOR:
FRANK DEAN
CLAY BLAIR SERVICES CORPORATION
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SCHLAGEL & ASSOCIATES, P. A.
Engineers • Planners • Surveyors • Landscape Architects
14920 West 107th Street • Lenexa, Kansas 66215
(913) 492-5158 • Fax: (913) 492-8400

DATE 4-09-07	FINAL PLAT OF DEER VALLEY FIFTH PLAT
DESIGN DR	
DRAWN BY HJ	
PROJ. NO. 07-009	SHEET NO. 1 OF 1