



nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on September 10, 2015, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the described platted drainage and utility easement and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of the described platted drainage and utility easement, should be approved.

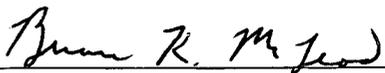
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8<sup>th</sup> day of December, 2015, ordered that the above-described platted drainage and utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

\_\_\_\_\_  
Jeff Longwell, Mayor

ATTEST:

\_\_\_\_\_  
Karen Sublett, City Clerk

Approved as to Form:

  
for \_\_\_\_\_  
Jennifer Magana, City Attorney and Director of Law

1-87c 2d

CERTIFICATE OF SURVEY

I, James C. McClure, a registered land surveyor in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "BERKELEY SQUARE THIRD ADDITION" an addition to Wichita, Sedgwick County, Kansas, into Lots, a Block, and a Reserve, the same being accurately set forth in the accompanying plat and described herein:

A replat of Lots 1 and 2, Block 1, and Lot 1, Block 2, Berkeley Square Second Addition, an addition to Wichita, Sedgwick County, Kansas, TOGETHER WITH Lot 1, Block 1, Reserves A and B, and all of Berkeley Square Parkway, Berkeley Square First Addition, an addition to Wichita, Sedgwick County, Kansas.

CONTAINING: 675,612 square feet or 15.51 acres of land, more or less.

All streets, easements, rights-of-way, building setbacks, access controls, together with a utility easement recorded in/on Doc./Fim-Pg: 29225434, together with that part of a water line easement recorded in/on Doc./Fim-Pg: 29225433, together with all other public dedications within the above described property are hereby vacated and replatted by virtue of K.S.A. 12-512b, as amended.

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this 13<sup>th</sup> day of October, 2014.



James C. McClure, LS #1251  
MKEC Engineering, Inc.  
411 North Webb Road  
Wichita, Kansas 67206

OWNER'S CERTIFICATE

Know all men by these presents that we the undersigned property owners of the land above set forth in the Registered Land Surveyor's Certificate, have caused the same to be surveyed and platted into Lots, a Block, and a Reserve, the same to be known as "BERKELEY SQUARE THIRD ADDITION," an addition to Wichita, Sedgwick County, Kansas.

Easements for construction and maintenance of public utilities and drainage, as indicated hereon, are hereby granted to and for the use of the public. The street, lighting, landscape, drainage and utility easement, as indicated hereon, is for the use of street, lighting, landscape, drainage and utility purposes and is granted to and for the use of the public for the purposes of accessing, constructing, maintaining, and repairing facilities over, along, and under the lots thereto. The municipal water easements, as indicated hereon, are for the exclusive use of municipal water distribution facilities and are granted to and for the use of the public for the purposes of accessing, constructing, maintaining and repairing their facilities over, along, and under the lots thereto.

All abutters rights of access to or from 13th Street over and across the south line of "BERKELEY SQUARE THIRD ADDITION," are hereby granted to the appropriate governing body, provided however three full movement openings as indicated hereon. All abutters rights of access to or from Greenwood Road over and across the east line of "BERKELEY SQUARE THIRD ADDITION," are hereby granted to the appropriate governing body, provided however one full movement opening as indicated hereon.

Reserve "A" is platted for landscaping, irrigation, berming, monuments, signs, and utilities confined by easement(s) or rights-of-way. The Reserve shall be owned and maintained by the owner(s) of Lots 1, 2, and 3, Block 1, and/or their successors, assigns, and/or a Lot Owner's Association

A drainage plan has been developed for this plat. All drainage easements, rights-of-ways, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater. Lots 1, 2, and 3, Block 1, are required to adhere to the minimum pad elevation table elevations shown hereon.

as to Lots 2 and 3, Block 1, and Reserve A  
APEX REALTY, LLC,  
a Kansas limited liability company

as to Lot 1, Block 1  
NEXUS PROPERTIES, LLC,  
a Kansas limited liability company

Steven A. Hatchett, manager  
Steven A. Hatchett, manager

Steven A. Hatchett, manager  
Steven A. Hatchett, manager

STATE OF KANSAS, SEDGWICK COUNTY) ss:

This instrument was acknowledged before me on 31<sup>st</sup> day of October, 2014, by Steven A. Hatchett, manager of both, Apex Realty, LLC, a Kansas limited liability company and Nexus Properties, LLC, a Kansas limited liability company.

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

Rhonda K. Hertel, Notary Public  
My Term Expires: Sept 8, 2016



as to Lots 4, 5, and 6, Block 1

Thomas R. Devlin, Jr.  
Thomas R. Devlin, Jr.

STATE OF KANSAS, SEDGWICK COUNTY) ss:

This instrument was acknowledged before me on 31<sup>st</sup> day of October, 2014, by Thomas R. Devlin, Jr.

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

Rhonda K. Hertel, Notary Public  
My Term Expires: Sept 8, 2016

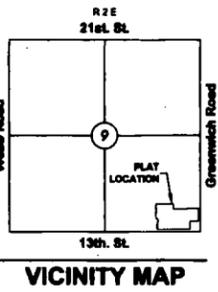


FINAL PLAT

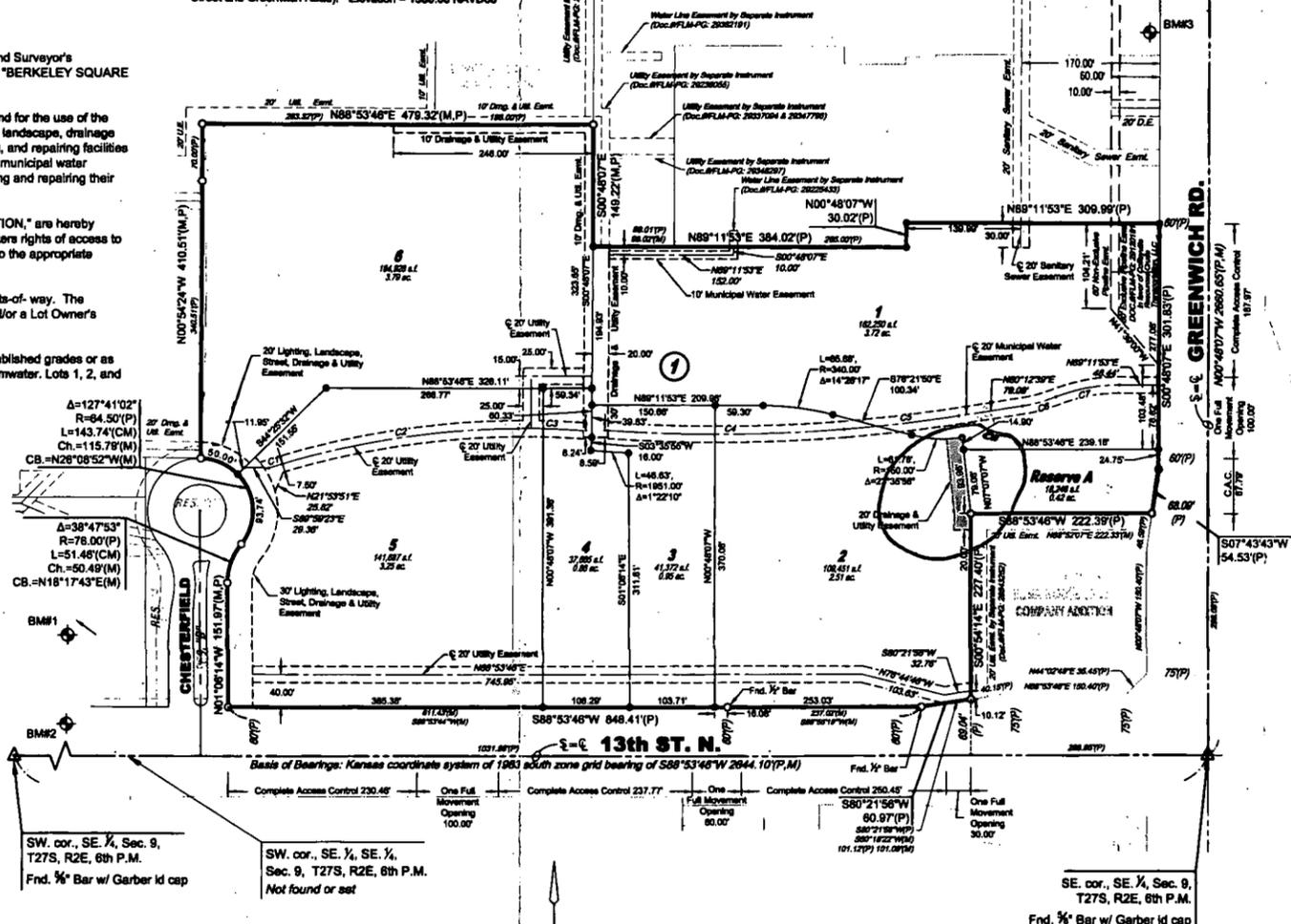
BERKELEY SQUARE THIRD ADDITION  
AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

BENCHMARKS

- BMS#1 Chiseled square on top of curb at north end of 2nd island, north of 13th St. N. on Veranda, 461 feet north of 13th Street and centerline Veranda. Elevation = 1287.03 NAVD88
BMS#2 Railroad spike in north side of power pole, 164.6 feet west of centerline Chesterfield Street and 39' north of centerline 13th Street. Elevation = 1399.01 NAVD88
BMS#3 Chiseled Square on top of curve at west end of north radius of driveway approach, 667' north and 73' west of the southeast corner of Section 9, Township 27 South, Range 2 East (centerline 13th Street and Greenwood Road). Elevation = 1380.08 NAVD88



MINIMUM PAD ELEVATIONS LOWEST OPENINGS table with columns LOT, BLOCK, ELEVATION NAVD88. Rows: 1 & 2, 1, 1387.3; 3, 1, 1389.9



LEGEND

- Section corner monument found
Found 3/4" rebar w/ MKEC CLS 39 id. cap unless otherwise annotated
Set 3/4" rebar w/ MKEC CLS 39 id. cap
Benchmark
Measured
Calculated from measured
Platted
Complete Access Control

Basis of Bearings: Kansas coordinate system of 1983 south zone grid bearing of S88°53'48"W 2844.10(P,M) along the S. line of the SE 1/4, Sec. 9, T27S, R2E, 6th P.M.

This plat is surveyed and platted on NAD83 using Kansas state plane south zone coordinates, modified to the surface, having a combined adjustment scale factor of 1.000120014401728

EASEMENT CURVE TABLE with columns Curve #, Length, Radius, Delta, Chord Direction, Chord Length. Rows C1 through C7.

PLANNING COMMISSION CERTIFICATE

STATE OF KANSAS, SEDGWICK COUNTY) ss: This plat of "BERKELEY SQUARE THIRD ADDITION" has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas. Dated this 21<sup>st</sup> day of August, 2014. WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

Matthew G. Godeby, Chair; John L. Schlegel, Secretary



GOVERNING BODY CERTIFICATE

STATE OF KANSAS, SEDGWICK COUNTY) ss: The dedications shown on this plat are hereby accepted and this plat is hereby approved by the governing body of the City of Wichita, Kansas. Dated this 28<sup>th</sup> day of October, 2014. At the direction of the City Council.

Carl Brewer, Mayor; Karen Sublett, City Clerk



TRANSFER RECORD

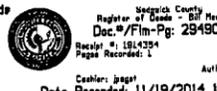
STATE OF KANSAS, SEDGWICK COUNTY) ss: Entered on transfer record this 19<sup>th</sup> day of November, 2014. Kelly B. Arnold, County Clerk



REGISTER OF DEEDS CERTIFICATE

STATE OF KANSAS, SEDGWICK COUNTY) ss: This is to certify that this instrument was filed for record in the Register of Deeds office this day of November 19, 2014, at 10:48:49 a'clock A.M.; and is duly recorded.

Bill Meek, Register of Deeds; Tonya E. Buckingham, Deputy



COUNTY SURVEYOR

STATE OF KANSAS, SEDGWICK COUNTY) ss: Reviewed in accordance with K.S.A. 58-2005 on this 16<sup>th</sup> day of October, 2014.

Tricia L. Rose, Deputy County Surveyor



PC 248-1