

## ORDINANCE NO. 25-34

### **AN ORDINANCE VACATING DRAINAGE EASEMENTS AND A UTILITY EASEMENT LOCATED ON LOT 6, 119 BLACKBOB CORNER THIRD PLAT IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS**

**WHEREAS**, Tara Limbach, does petition the City Council of the City of Olathe, Kansas, for the vacation of a utility easement below described:

#### DRAINAGE EASEMENTS TO BE VACATED

##### 5 VARIABLE WIDTH DRAINAGE EASEMENTS

DOCUMENT NO. 20120612-0004144 BK. 201206 PG. 004144

RECORDED 6/12/2012

A VARIABLE WIDTH STRIP OF LAND BEING ALL THAT PART OF LOT 6, 119 BLACKBOB CORNER, THIRD PLAT, LOT 6, A SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, LYING IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 24 EAST. SAID VARIABLE WIDTH STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE AFORESAID LOT 6, THENCE S89°59'20"W ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 34.69 FEET; THENCE N00°00'40"W, 2.75 FEET TO THE POINT OF BEGINNING OF THE VARIABLE WIDTH STRIP OF LAND TO BE HEREIN DESCRIBED; THENCE S87°57'44"W, 36.12 FEET; THENCE S89°59'20"W, 158.68 FEET; THENCE N87°57'44"W, 27.88 FEET; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 6.25 FEET AND AN ARC LENGTH OF 20.67 FEET; THENCE S02°34'06"W, 2.23 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3.00 FEET AND AN ARC LENGTH OF 4.85 FEET; THENCE N89°59'20"E, 216.97 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3.00 FEET AND AN ARC LENGTH OF 4.85 FEET; THENCE N02°35'16"W, 2.37 FEET; THENCE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF S78°13'36"E, A RADIUS OF 6.25 FEET AND AN ARC DISTANCE OF 17.58 FEET TO THE POINT OF BEGINNING.

ALSO

A VARIABLE WIDTH STRIP OF LAND BEING ALL THAT PART OF LOT 6, 119 BLACKBOB CORNER, THIRD PLAT, LOT 6, A SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, LYING IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 24 EAST. SAID VARIABLE WIDTH STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE AFORESAID LOT 6; THENCE N00°00'35"W ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 37.67 FEET TO THE POINT OF BEGINNING OF THE VARIABLE WIDTH STRIP OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING N00°00'35"W ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 193.59 FEET; THENCE N07°46'11"W, 5.31 FEET; THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 7.15 FEET AND AN ARC LENGTH OF 21.48 FEET; THENCE N89°59'25"E, 2.45 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 3.00 FEET AND AN ARC LENGTH OF

4.71 FEET; THENCE S00°00'35"E, 194.00 FEET; THENCE WESTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 3.00 FEET AND AN ARC LENGTH OF 4.71 FEET; THENCE S89°59'25"W, 2.40 FEET; THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF S16°02'18"E, A RADIUS OF 7.60 FEET AND AN ARC LENGTH OF 21.75 FEET TO THE POINT OF BEGINNING.

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ALSO

A VARIABLE WIDTH STRIP OF LAND BEING ALL THAT PART OF LOT 6, 119 BLACKBOB CORNER, THIRD PLAT, LOT 6, A SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, LYING IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 24 EAST. SAID VARIABLE WIDTH STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE AFORESAID LOT 6; THENCE S89°37'30"E ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 55.00 FEET; THENCE S23°16'13"E, 15.09 FEET TO THE POINT OF BEGINNING OF THE VARIABLE WIDTH STRIP OF LAND TO BE HEREIN DESCRIBED; THENCE N89°59'25"E, 2.50 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 3.00 FEET AND AN ARC LENGTH OF 4.71 FEET; THENCE S00°00'35"E, 32.00 FEET; THENCE WESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 3.00 FEET AND AN ARC LENGTH OF 4.71 FEET; THENCE S89°59'25"W, 2.50 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 8.00 FEET AND AN ARC LENGTH OF 12.57 FEET; THENCE N00°00'35"W, 22.00 FEET; THENCE EASTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 8.00 FEET AND AN ARC LENGTH OF 12.57 FEET TO THE POINT OF BEGINNING.

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UTILITY EASEMENT TO BE VACATED

20 FEET WIDE UTILITY EASEMENT

DOCUMENT NO. 20120612-0004144 BK. 201206 PG. 004144  
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EXCEPT THE WEST 10 FEET AND THE EAST 15 FEET OF SAID LOT 6.

(hereinafter called "property"); and

**WHEREAS**, A petition for vacation (VAC25-0002) was filed with the City of Olathe, Kansas, on the 11<sup>th</sup> day of July 2025; and

**WHEREAS**, proper notice of such vacation petition was given pursuant to K.S.A. 12-504 and Section 18.40.190 of the Unified Development Ordinance; and

**WHEREAS**, a public hearing on such petition was held before the Planning Commission of the City of Olathe, Kansas, on the 8<sup>th</sup> day of September 2025; and

**WHEREAS**, said Planning Commission has recommended that such drainage easements and a utility easement petition be approved; and

**WHEREAS**, the petitioner states that he is the owner of record of the property; and

**WHEREAS**, the City Council has determined that the drainage easements and a utility easement is not needed by the city; no private rights will be injured or endangered by the vacation; the public will suffer no loss or inconvenience thereby; and that in justice to the applicant the petition should be granted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLATHE, KANSAS:**

**SECTION ONE:** That the following described dedicated drainage easements and a utility easement granted to the City of Olathe, Kansas, by a plat of lot 6, 119 Blackbob Corner Third Plat and located in the City of Olathe, Johnson County, Kansas, is hereby vacated:

**DRAINAGE EASEMENTS TO BE VACATED**

5 VARIABLE WIDTH DRAINAGE EASEMENTS  
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UTILITY EASEMENT TO BE VACATED

20 FEET WIDE UTILITY EASEMENT

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EXCEPT THE WEST 10 FEET AND THE EAST 15 FEET OF SAID LOT 6.

**SECTION TWO:** That the City Clerk is hereby directed to file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

**SECTION THREE:** That this Ordinance shall take effect from and after its passage and publication as provided by law.

**PASSED** by the City Council this 7<sup>th</sup> day of October 2025.

**SIGNED** by the Mayor this 7<sup>th</sup> day of October 2025.

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Mayor

ATTEST:

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City Clerk

(Seal)

APPROVED AS TO FORM:

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City Attorney