

ORDINANCE NO. 25-06

AN ORDINANCE VACATING A DRAINAGE EASEMENT LOCATED ON LOT 1 OF CEDAR RIDGE RANCH IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

WHEREAS, Nathan R. Turner, does petition the City Council of the City of Olathe, Kansas, for the vacation of a drainage easement below described:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SHADY BEND ROAD, AS NOW ESTABLISHED; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID SHADY BEND ROAD AND ON A CURVE TO THE LEFT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF S 18°45'57" W AND A RADIUS OF 390.00 FEET, AN ARC DISTANCE OF 51.88 FEET TO THE POINT OF BEGINNING; THENCE S 73°50'38" E, A DISTANCE OF 158.36 FEET; THENCE S 16°09'23" W, A DISTANCE OF 20.00 FEET; THENCE N 73°50'38" W, A DISTANCE OF 156.09 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID SHADY BEND ROAD; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID SHADY BEND ROAD ON A CURVE TO THE RIGHT AND ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF N 8°11'12" E AND A RADIUS OF 390.00 FEET, AN ARC DISTANCE OF 20.13 FEET TO THE POINT OF BEGINNING, CONTAINING 3,146 SQUARE FEET OR 0.0722 ACRES, MORE OR LESS.

(hereinafter called "property"); and

WHEREAS, A petition for vacation (VAC24-0001) was filed with the City of Olathe, Kansas, on the 16th day of December 2024; 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 10th day of February 2025; and

WHEREAS, said Planning Commission has recommended that such drainage easement vacation 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 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 easement granted to the City of Olathe, Kansas, by a plat of Lot 1 of Cedar Ridge Ranch and located in the City of Olathe, Johnson County, Kansas, is hereby vacated:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SHADY BEND ROAD, AS NOW ESTABLISHED; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID SHADY BEND ROAD AND ON A CURVE TO THE LEFT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF S 18°45'57" W AND A RADIUS OF 390.00 FEET, AN ARC DISTANCE OF 51.88 FEET TO THE POINT OF BEGINNING; THENCE S 73°50'38" E, A DISTANCE OF 158.36 FEET; THENCE S 16°09'23" W, A DISTANCE OF 20.00 FEET; THENCE N 73°50'38" W, A DISTANCE OF 156.09 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID SHADY BEND ROAD; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID SHADY BEND ROAD ON A CURVE TO THE RIGHT AND ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF N 8°11'12" E AND A RADIUS OF 390.00 FEET, AN ARC DISTANCE OF 20.13 FEET TO THE POINT OF BEGINNING, CONTAINING 3,146 SQUARE FEET OR 0.0722 ACRES, MORE OR LESS.

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 18th day of February 2025.

SIGNED by the Mayor this 18th day of February 2025.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney